

### Trajectories of State Building and Peace Building in Rwanda

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### *Integrated Field Research Report*

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## Introduction

This study examines the trajectory of Rwanda's statebuilding experience; the factors that underlined the conflict that invariably led to civil war and genocide in 1994; and the extent to which the resulting peace settlement addressed these factors. In this regard, it seeks to understand the nature of the *conversations* that occurred in the evolution of the state of Rwanda and what aspects of these conversations produced violent conflict and war and how much of this was taken into account in the peace settlement. The study therefore examines Rwanda's civil war that lasted from 1990-1994 and the genocide of 1994 from a historical perspective, tracing its root causes to the conversations surrounding the creation of the post-colonial state of Rwanda. It discusses settlement process to see the extent to which it deals with those root cause factors. The study relies largely on desk review of literature and documents as well as data from interviews with key informants and focus group discussions held in Rwanda.

An examination of Rwanda over a period dating back from pre-colonial times until the 1994 genocide reveals that Identity and reconstruction of "ideas of identity" are at the core of Rwanda's nation- and state-building conversation. Those in conversation as well as the "conversable spaces" mutated across periods of Rwanda's history, starting from the pre-colonial period to the post-genocide phase. Conversations about identity invariably underpinned other areas of Rwandan society and the emergent state, with certain identity forms and issues more dominant in the nation- and state-building conversations than others. The role of the military, and its place within state-society relations, has also been a consistently important theme in the story of Rwanda across the different time periods being discussed.

In discussing these issues, this study focuses on the following questions:

- What is Rwanda's historical trajectory in relation to the statebuilding conversations that took place before the outbreak of violent conflict(s)? What were the root cause factors and triggers of violence?
- What was distinctive about the process leading to the settlement? What are the distinct features of the settlement?

- What was the nature of the settlement and to what extent did it deal with the state-building conversations that led to violent conflict? Who were the leading actors?
- What identity issues that were part of the state-building conversation were taken into consideration in the settlement and post settlement arrangements?
- Has the gender regime that predated conflict altered? If so, how? Does this differ from other identity conversations pre- and post-conflict?

## **PART I: Evolution of societal and state-building conversations in Rwanda**

### ***Identity in Rwanda's statebuilding conversation: pre-colonial origins***

In pre-colonial Rwanda, the terms *Tutsi*, *Hutu* and *Twa* represented socio-economic classes, affording people identities linked to their role and status in society. They were not the ethnic terms that would grow to dominate Rwandan life in the colonial and post-colonial periods. The state of Rwanda as it exists today began its formation in the sixteenth and seventeenth centuries. A period of great drought and famines had decimated large swaths of populations in east-central Africa and triggered huge movements of people, leading to a re-structured ethno and political geography of the region.<sup>1</sup> New socio-political institutions and kingdoms organized along clan structures began to emerge based on interactions between pastoralist and agriculturalists especially in the South. Especially in Rwanda and contrary to the Hamitic theories,<sup>2</sup> at the core of this formation were clan identities, comprised of eighteen clans structured along the three main lineages – Bahutu, Batutsi and Batwa members. These defined both the social status of an individual and exercise of political or religious duties.<sup>3</sup>

This was a period of state expansion for Rwanda. The original meaning of the term 'Rwanda' as interpreted by scholars means 'drive for expansion' which was reflected in the country's quest for state expansion in the 14<sup>th</sup> to 19<sup>th</sup> centuries through warfare.<sup>4</sup> Particularly during the reign of Cyirima Rujugira in the last quarter of the 18<sup>th</sup> century, Rwanda developed standing armies consisting mainly of Bahutu, Batutsi and foreigners (refugees from conquered kingdoms) to protect their territories and resources that were under threat.<sup>5</sup> The armies were mainly organized and centralized within the hands of the dominant dynasties (the Nyinga dynasty for the Cyirima Rujugira case). Wars

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<sup>1</sup> Webster, J. Bertin, Bethwell Alan Ogot, and Jean-Pierre Chrétien. "The Great Lakes Region, 1500-1800." *General History of Africa V: Africa from the Sixteenth to the Eighteenth Century*. Ed. B.A Ogot. Carlifornia: UNESCO, Heineman. 1992.

<sup>2</sup> The Hamitic theory – asserts that much of civilisation in Africa, including central Africa, is attributable to the superior race, Hamites who migrated from the East. See Mamdani, Mahmood. *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*. Princeton, N.J: Princeton University Press, 2001, pp. 79-87. According (Webster *et al.*, *Op.Cit.*, p. 803) the theory influenced ethnologists especially the British and German travellers (popularly known as White Fathers), whose perspectives of communities in Rwanda was based on 'stereotyped aesthetic impressions and political considerations'. See Webster, *et al.* *Op.Cit.*

<sup>3</sup> Webster *et al.*, *Op.Cit.*, p.810

<sup>4</sup> Banchmann, Olaf. Quasi-Armies: Obstacles to, or Vehicle for, State-building in Central Africa, 2013, pp. 232-233.

<sup>5</sup> Webster *et al.* *Op.Cit.*, pp.825-826. See also, Newbury, David. "Precolonial Burundi and Rwanda: local loyalties, regional royalties." *The International Journal of African Historical Studies*. 34.2. 2001, pp. 255-314.

were fought mainly for consolidation of the state, social coherence (by fighting non-Rwandan neighbours), administration of justice and projection of state power.<sup>6</sup>

In this period, elites - the King, his advisors and other noble men 'chiefs' and military commanders among others - managed societal conversations. The population was far less than contemporary times and therefore conflict centred on gaining land by expanding Rwanda, and less about settling individuals within Rwandan territory. Expansion was largely led by Kings in a successive cycle of four with each having a specific function.<sup>7</sup> Soldiers were essential, regardless of their 'ethnic' or social group, and conquest wars with surrounding countries were led by individuals chosen by merit and acceptance in society. Internal conflict mainly came from divergent views over who would control the newly conquered land. The King, who would judge and decide such matters, was 'above' social classifications (although coming from the Tutsi group, once becoming King they lost that label). This meant their legitimacy cut across clans and all social groups, so they were able to exercise authority on issues and at the same time mediate on conflict.<sup>8</sup> It is important to realise that whenever conversations turned violent, the conflict did not tend to be among elites and the ordinary citizens, rather it was between an army from one Kingdom against another, and was centred around redefining borders of the central Kingdom that later became Rwanda. We now know through proverbs and folk-tales that violence also occurred at a more localised and intra-family level (as happens within any society) but this was not necessarily caused by social, personal and ethnic differences.

During this period the concept of identity was vague and changed its meaning depending on the ruler. Pre-colonial Rwandan society was organized around family, clans, and social class categories. Rwandans' conversations of one's identity, affiliation and belonging were more fixed on their clans than their Hutu/Tutsi and Twa identity, and Hutu/Tutsi/Twa could co-exist in one clan (*ubwoko*). The labels of Hutus, Tutsi and Twa were attached to what class a person belonged to and there were ample instances

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<sup>6</sup> Newbury, *Op.Cit.*, *Precolonial Burundi and Rwanda*, pp. 300-301.

<sup>7</sup> The first King (King of peace) was in-charge of fostering the land. The second king's role was aggression, that is spearheading the attack. The third King had the responsibility of defending the land from counter attack while the fourth King was meant to consolidate the gains. See Banchmann, *Op. Cit.*, pp. 232.

<sup>8</sup> Interview with Prof. Ruzirabwoba Rwanyindo on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, recorded on 13/01/2016: 08:15 GMT.

of migration from one group to another through inter-marriage or a ruler's decision. Newbury indicates that Hutu, Tutsi and Twa "were old terms, but their meanings and significance and the political significance of membership in them changed significantly over time."<sup>9</sup> Tutsi denoted those with wealth (10% of the society), Hutu those who worked for the wealthy Tutsi (86% of the population) and Twa (1%) despite being the first inhabitants of Rwanda are those at the lowest ebb of the social strata.<sup>10</sup>

Pre-colonial Rwandan society was flexible as one could change from being Hutu and Twa to become Tutsi when one's wealth increased. This change could happen if a Hutu or Twa acquired more than ten head of cattle, or if favoured by the King and given a Tutsi bride. The reverse was also true, as a Tutsi who lost cattle or lost favour with the King could become a Hutu or Twa.<sup>11</sup> This change in status was called *kwi hutura* literally meaning one has become a Tutsi. Conversely, the term *Kwitutsura* explains downward mobility; a term used when one lost cattle or married into and became part of a poor Hutu family. European ethnologists have previously described these terms as akin to a "caste" system, which implies a kind of "rigid hierarchy". This was not the case. An in-depth study of the clan structure has revealed that ethnic differentiation occurred along clan lines rather than along economic backgrounds (pastoralists or agriculturalists) as the Hamitic theories suggests.<sup>12</sup> There was no religious ideology, or any economic occupation that distinguished Hutu and Tutsi. Both Hutus and Tutsis owned cattle, and tilled land as part of their economic activities including (as noted above) as part of the standing armies.<sup>13</sup>

In this pre-colonial period women did not hold official political power. Yet the Queen Mother was extremely influential on matters of leadership and governance. She could contradict even top advisors, disrupt the political culture, and was in charge of tax collection (a very powerful role).<sup>14</sup> The Queen Mother was a key actor whose actions

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<sup>9</sup> Newbury, *Op.Cit., Precolonial Burundi and Rwanda*, p.10

<sup>10</sup> *Ibid.*, p.11. These statistics were advanced by colonialists although these numbers can be disputed by the fact that in post-independence Rwanda there are many inter-marriages.

<sup>11</sup> It is important to note that this practice was not restricted to the pre-colonial period. Individuals in the post-colonial period also could change their identity based on the prevailing socio-political climate at the time for example during data collection census exercises. See Fujii, Lee Ann. *Killing neighbors: Webs of violence in Rwanda*. Cornell University Press, 2011, pp.110-111.

<sup>12</sup> Webster *et al. Op.Cit.*, p.812.

<sup>13</sup> Newbury, *Op.Cit., Precolonial Burundi and Rwanda*, p.12.

<sup>14</sup> A case in point is the Queen Mother Kanjogera who was from Abega clan who was known to be influential in

sometimes influenced the course of history in the country, and forced conversations on political issues and on Kingdom structures. These structures had micro decentralized levels of governance, which were again not centred on the Tutsi/Hutu/Twa distinctions. For example, the lowest ranks of administration - the hill chiefs - could be Tutsi, Hutu, or Twa.<sup>15</sup> The triple hierarchy of chiefs - *Umunyamutaka*, *umunyamukenke*, *umutware w'ingabo* - system facilitated the channelling of information about traditional leadership, cultural practices and economic activities among various members across social strata. This system is outlined in detail in the box below.

**Triple hierarchy of chiefs: *Umunyamutaka*, *umunyamukenke*, *umutware w'ingabo*.<sup>16</sup>**

Social and political identity in pre-colonial Rwanda was organized through family, lineages, clans and a mixture of other complex factors that indicated social and political belonging. Institutional, governance, and administration issues illustrate how sophisticated the kingdom's structured identities were. Among the king's representatives, of particular importance were the chiefs who imposed taxes.<sup>17</sup> The provincial chiefs were, above all, representatives of the royal authority (the king and his court attendants). They imposed and collected taxes in the provinces. Thus, royal residences, which were scattered in the entire kingdom, under King Kigeri Rwabugiri (ruling from 1876) had a dual political and physical function. The royal

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political leadership in 1896. Kanjogera plotted a coup d'état over King Rutalindwa. King Kigeli IV had appointed Rutalindwa before his son as his first child from another queen mother. However, Kanjogera wanted her son Musinga to rule. Kanjogera's army won over that of Rutalindwa. They were all Tutsis but the two queen mothers were from different clans. Other queen mothers who followed were influential in political matters, owned land and cattle but not in such a visible role. Although Kanjogera's actions could be considered as selfish they showed how important women were as actors in that society. See Newbury, Catharine. *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda, 1860-1960*. New York: Columbia University Press, 1988, pp. 57-59; and Dorsey, Learthen. *Historical Dictionary of Rwanda*. Metuchen, N.J: Scarecrow Press, 1994, p. 345, both discuss the importance and role played by "Umugabekazi" or queen mother; Mbonimana, Gamaliel. "Christianisation indirecte et cristallisation des clivages Ethniques au Rwanda (1925-1931)." *Enquêtes et documents d'histoire africaine*. 1978, p. 155-56. On the administrative roles of Women in general and Queen Mothers in particular, see Kamatali, Jean-Marie. "Rwanda: Balancing Gender Quotas and an Independent Judiciary." In Eds. Gretchen Bauer, and Josephine Dawuni *Gender and the Judiciary in Africa: From obscurity to Parity*. New York: Routledge 2016, pp. 138.

<sup>15</sup> Mamdani, pp.68-69.

<sup>16</sup> For the reign of the Kings see, Newbury, *Op.Cit.*, *Precolonial Burundi and Rwanda*.

<sup>17</sup> Classe, L., "L'organisation politique du Ruanda", in Congo, 1992, p.685



tribute (*ikoro*) was taken to the royal residence and was taken care of by the king's wife.<sup>18</sup>

In the areas where the *Ubuhake* institution prevailed, the provincial administration was enforced by senior chiefs or in some cases by army commanders. Beyond provinces and marching camps (*ingerero*), power was exercised by three leaders whose existence was felt right from the rule of King Yuhi Gahindiro (ruling from 1801):<sup>19</sup>

- Land and agriculture Chief (*umutware w'umunyabutaka*)
- The Chief in charge of pastures (*umutware w'umukenke, umunyamukenke*)
- War Chief (*umutware w'ingabo*)

The King and the Queen Mother controlled these three types of Chiefs. There were a few exceptions to the divided functions of chiefs. In Buhanga-Ndara, for instance, Chief Mbanzabugabo alias Bikotwa doubled as '*umutware w'ubutaka*' and '*umutware w'ingabo*'. As for the Impala Province (Kinyanga-Cyangugu), it was Rwabirinda son of Mutara Rwogera who was '*Umutware w'ubutaka*' and '*Umutware w'umukenke*' in 1900.<sup>20</sup> Taxes were collected mainly by two types of civil servants (*Ikoro*); the chief of pastures (*Umutware w'umukenke*) who collected pastoral taxes and the land chief (*Umutware w'ubutaka*) who was charged with the collection of taxes on food items. This arrangement was modified by the sedentary nature of the Nyanza court under King Musinga (ruling from 1895). All

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<sup>18</sup> Testimony from Father Rubumbira, interviewed by Paul Rutayisire and Thomas Munyaneza, Nyagatare, recorded on 12/5/2004.

<sup>19</sup> Mbonimana, G., "Les institutions traditionnelles constitutives de l'identité nationale". In Cahiers du Centre de Gestion des Conflits, n° 2, 2001, Mbonimana, G., The Kingdom of Rwanda from the beginning to 1900. In Eds. Byanafashe D. and Rutayisire, P., *History of Rwanda. From the beginning to the end of the twentieth century*, National university of Rwanda: Avenue de l'Université, Huye, 2011, p. 131.

<sup>20</sup> Rutayisire, P. and Munyaneza, T., "Rwanda under German and Belgian colonization (1896-1962)." In Byanafashe D. and Rutayisire, P., *History of Rwanda. From the beginning to the end of the twentieth century*. National university of Rwanda: Avenue de l'Université, Huye, 2011, p.205.

services were carried out in Nyanza but this was conceived as forced labour by people in peripheral regions.<sup>21</sup>

Under the provincial level, there was another smaller division called *Igikingi/ Ibikingi*. Long ago, the *Ibikingi* were related to pastures. By extension, the word came to mean a command-base of one or more villages (collines in French). According to A. Kagame, there were two types of *Ibikingi*. There was the *Igikingi* that depended on the war chief (*Umutware w'ingabo*). It met the requirements of cow pastures. Villages (*collines*) were scattered. The royal court was not interested in having people with big pieces of land as this would threaten the power of central authority. There were also royal enclaves (*Imisozi y'ibwami*) for the personal servant of the king. This sub-division was unknown in regions where lineage organization was dominant. These included areas like Byumba, Gisenyi, Ruhengeri, Northern Kigali as well as some parts of Cyangugu. Here, land ownership depended on the first occupant and not on external political authority. In the Northern part of Rwanda, the administration was generally enforced by lineage chiefs, clan chiefs and chiefs who were replaced by representatives, such as the representative of Nshozamihigo in Murera in the 1900's. As far as clan entities in the North were concerned, the dominating clan chiefs were called the king's chief (*Abatware b'umwami*). They reported directly to the court without passing through any intermediary. Most of these chiefs were Hutu who paid tribute to the king of Rwanda as a sign of allegiance<sup>22</sup>.

What seems clear is that there was a system of taxation like other kingdoms or modern States. However, the tax system changed meaning when colonialists occupied Rwanda. This system also evolved to assume

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<sup>21</sup>Testimony from Father Ngirabanyiginya, interviewed by Paul Rutayisire and Thomas Munyaneza, Nyundo, recorded on 10/6/2004.

<sup>22</sup> Anonyme (résidence du Rwanda), Historique et chronologie du Rwanda, p.124

different social functions and definitions in society as the dynamics of power between groups also shifted meaning.<sup>23</sup>

### ***Colonial Rule: Evolution and use of identity (1897-1945)***

Colonial rule would change Rwanda from a society with a common identity comprising diverse social categories to a nation stratified along ethnic lines, religion and cultural categories.<sup>24</sup> The colonial administration found an organized society with a court system and standing army that arguably resembled that of a modern state. Rwanda had been one of the few African states, or proto-state, to actively protect its population from the slave trade. While socio-cultural differences between regions and groups in pre-colonial Rwanda cannot be denied, there also existed many factors of commonality such as language, religious practices, common habitat, clan network, wars against neighbouring kingdoms, a feeling of patriotism, etc. If the “*premise of inequality*” ever existed, it was linked to historic factors but not to static congenital criteria or even to the criterion of cow-ownership.<sup>25</sup>

The Germans arrived in *Ruanda and Urundi*, as Rwanda and Burundi were known then, in 1897 as part of their exploration of East Africa. Belgium, being the closest colonial power in Congo, assumed the Ruanda-Urundi territories under a trusteeship granted by the League of Nations following Germany’s defeat in World War I. Belgium sustained their colonial project through a system of divide and rule. An accelerated shift took place on what kind of conversations were taking place on identity, how those conversations happened, where they happened, who managed them and how they affected all aspects of life for Rwandan society. The shifted conversations around identity ultimately reconfigured Rwandan society in to the stratified ethnic groupings that would eventual lead to genocide.

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<sup>23</sup> For more information about tax see, Mugemana, M., *Prestation et système fiscal de l’administration belge au Rwanda, 1921-1940*, Mémoire de maîtrise, 1983.

<sup>24</sup> Interview with Prof. Ruzirabwoba Rwanyindo

<sup>25</sup> Maquet, J.J., *Le système des relations social dans le Rwanda ancien*, Tervuren, MRAC, 1954.

Given the Kingdoms' complex structure, the European (Belgian) colonialists resorted to dividing the society into different races and ethnic identities, giving preferential treatment of one category against another in order to control the land and its population. The Belgian authorities deliberately altered, through institutional policies, the complex and fluid identities and social structures existing in pre-colonial Rwanda that allowed an individual or family to change from their Hutu or Tutsi social status.<sup>26</sup> It would appear that the Rwandan social fabric was completely destroyed by the Belgians who, using racial pseudo-scientific arguments that prevailed in nineteenth and twentieth century Europe and the United States.

The Belgians associated physical traits to the Hutu and Tutsi social classifications, which established them as ethnic identities (ignoring the fact that these traits were due to the better living standards of the wealthier Tutsi).<sup>27</sup> The perspectives on physical traits were rooted in Hamitic hypothesis where the Hutu and Tutsi were both ideologically and institutionally 'racialized.'<sup>28</sup> They chose to work with the 'Tutsi' King and his people to ease colonization. The Europeans appropriated themselves the role of educator and guide. The Belgian organisational formula involved two Residents together with a Resident General preparing a budget for the Minister of Colonies, for implementing programs on public works as well as controlling and supervising the native policy. The Resident General enjoyed direct relations with the Minister of Colonies, with the Governor General of Congo responsible for the two Residents. The Resident was responsible for territorial administration with help of territorial services which were divided into several departments: administration, public works, health, finance, and civil service). Crucially, all these departments were expected to enjoy "*regular support of the Watusi*" because of their "*innate skills as far as taking commands*" from the King was concerned.<sup>29</sup>

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<sup>26</sup> Mamdani, *Op.Cit.*, pp. 87-102.

<sup>27</sup> Gasanabo, J. D. School history and mechanisms for the construction of exclusive identities: the case of Rwanda from 1962 to 1994. In ed. Braslavsky C. *Textbooks and Quality Learning for All: Some Lessons Learned from International Experiences*. Paris: UNESCO, 2006. p.367

<sup>28</sup> Mamdani, *Op. Cit.*, pp. 86-87.

<sup>29</sup> Rutayisire, P. and Munyaneza, T., *Rwanda under German and Belgian colonization (1896-1962)*, *Op.Cit.*, p.251.

The choice of using the Tutsi as partners was proposed and justified on the basis of racial arguments. Influenced by missionaries, the Belgians ascribed the royal class and aristocracy to the Tutsi by reproducing the Hamitic-stereotype. This was based on selected pseudo-scientific details of physical anthropological and ethnographical features of the Tutsi, Hutu and Twa. This stereotype was reproduced in many official texts, thus establishing a *cliché* transmitted from one administrator to another. The Tutsi were seen as a noble class that originated from Asia and who had a long stopover in Pharaonic Egypt. All descriptions of Tutsi chiefs made reference to their slender features, tall height, diplomatic qualities and talent in military command. These qualities distinguished the Tutsi from their Hutu servants. The subordination of the latter originated from their moral character and especially the ownership of cows, from which the servant-master relationship emerged.<sup>30</sup> The Minister of Colonies had this to say:

“(…) it was not a question of tampering with political institutions under the pretext of equality. We feel that the Watutsi were established since time immemorial, they are intelligent and are a capable people and we will respect this state of affairs (…).”<sup>31</sup>.

The Hutu were considered Bantu as opposed to the Nilotic Tutsi (historically incorrect but still repeated in current literature), and viewed as a section of defeated people. They did not share the qualities of their Tutsi masters, with their descriptions at the time akin to a classic picture of the Negro. The Twa, meanwhile, were devoid of any form of humanity. They did not have a good code of conduct and were cruel by nature. The annual report of the Nyanza Territory of 1925 described Twa in the following terms:

“(…) an old and worn-out race facing extinction, the Mutwa (…) has a somatic character properly defined: short, broad-backed, muscular, hairy especially around the chest region, with an ape-like face and a distinct flat face and a

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<sup>30</sup> Rutayisire P., and Munyaneza T., *Op.Cit.*, p. 255; For more explanations see , Rutembesa, F., Les autorités indigènes dans la politique coloniale belge de 1916-1923, *In Cahiers d'histoire de l'Université du Burundi*, Avril, 1983 ; Rutembesa, F., La réorganisation administrative et ses conséquences au Rwanda entre 1926 et 1931, *In Cahiers d'Histoire*, 2, 1984.

<sup>31</sup> Franck L., *Le Congo belge t.1, La renaissance du livre* Bruxelles, 1931.

flat nose that combines the general physical traits of the monkey with obsession for forests (...)."

Missionaries and the colonial state established schools in Nyanza, where the King resided, circa 1919 and this effect cemented ethnic stratification. The main purpose of this education at this time was two-fold: first to train catechists to spread Catholicism to the local population; and second to train auxiliaries to assist the Colonial Masters for local administration, agricultural production of cash crops for export and enforcement of labour (labour forced on peasants resulted in the first exodus of the Rwandans into neighbouring Uganda, Tanzania and Kenya in the 1930s and 1940s.) The import of formal education within Rwanda began the ethnic stratification of Rwandan society. Access to schooling was reserved and accessed mostly by the privileged sons of the Tutsi leaders favoured by the Belgians. Access to education meant access to leadership positions, power and resources. At a new school in Butare set up in 1929, for example, different subjects were taught including agriculture, economics, management and administration. Administration, however, was only ever taught to the sons of current leaders. Colonial schools were therefore sites of conversation that reinforced the racialized identities brought and imposed by the Belgian authorities, with access to education reinforcing these new societal divisions. Outside of those spaces, they also began fuelling resentment amongst marginalized groups, namely Hutu as well as poorer less-privileged Tutsi (along with the Twa).<sup>32</sup>

Even though myths about Tutsi identity were widespread and widely accepted, education was not afforded to all Tutsis. Education was given to the few who were regarded as nobles and to whom the European administration would entrust power.<sup>33</sup> Preference was given to men over women. Nuns or wives of male missionaries taught women on how to sew and make beautiful artefacts that were of European standard. This was despite pre-colonial Rwanda having a strong culture of art, which had been produced by both men and women. In this setting, the Rwandan society was redefined even in terms of profession. The gendered lenses of Europeans suggested to Rwandan

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<sup>32</sup> Interview with Prof. Ruzirabwoba Rwanyindo on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, recorded on 13/01/2016: 08:15 GMT

<sup>33</sup> The schools established by the Belgian authorities were mainly to serve interests of the missionaries and colonizers rather than the people. See, Walker-Kelleher, Jessica. "Reconceptualizing the relationship between conflict and education: The case of Rwanda." *Praxis, The Fletcher Journal of Human Security* . 21. 2006, p. 37

society that females were not capable of understanding the kind of learning that was taking place in a classroom.

The missionaries who came to Rwanda had sought to work hand in hand with the 'Tutsi' King due to the influence and respect it had across Rwanda. This had been the first instance of privileging one group over another,<sup>34</sup> with the religious-colonial linkages culminating in the 1931 forced deposition of King Musinga when he refused to give up his divinity and convert to Christianity (he was replaced by his son, who had been educated by missionaries).<sup>35</sup> The Catholic Church ascribed meaning to the identities. Priests, Nuns, Bishops went beyond preaching and interpreting the identity difference, to offering a moral position of what actions should be taken as a result of being Hutu or Tutsi. French missionary Mgr Classe, for example (an early missionary sent to Rwanda in 1900) in 1927 addressed a letter to Mr. Morteau, the Resident of Rwanda, defending and praising the Tutsi for their role in protecting colonial interests. He said:

"(...) the *Batutsi* authority (...) is opposed to that of Musinga (...): currently, if we want to sound practical in the interests of the country with the Tutsi youth, we have achieved incomparable progress, and that even all those who know Rwanda can recognize this fact (...) the youth have come closer to the Europeans and they fear nothing (except) the return of the former regime (...), the senior and junior chiefs who have lost their posts (...) are very many".<sup>36</sup>

This was in spite of an earlier 1922 letter where Mgr. Classe explained: "(...) all the Rwandan population is intelligent. And, contrary to the general ideas held, I would like to say that the *Batutsi* are generally not more intelligent than the *Bahutu* (...)." <sup>37</sup> This is indicative that missionaries and colonialists were not entirely ignorant as to the lack of genuine racial difference between groups in Rwanda; but that they saw their colonial model best enforced through the elevation of Tutsi collaborators.

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<sup>34</sup> Interview with Excellence Mgr. Servilien Nzakamwita, Kigali, 13-01-2016 : 11:00 GMT

<sup>35</sup> Bachmann, *Op.Cit.*, *Quasi-Armies*, p.238.

<sup>36</sup> Classe, L., *Le Ruanda et ses habitants : organisation, politique, la religion, la famille*, *In Congo*, 1922, p 681.

<sup>37</sup> *Ibid.*

Thus the conversable spaces of the pre-colonial period in which social mobility and military expansion could be achieved in part on meritorious bases changed drastically with colonial rule. The new external actors in this space fundamentally altered the identity conversation, the spaces where they occurred and the forms in which they occurred in the Rwandan society.

### ***Restructuring Society: leaders, tax and land***

Key to the colonial restructuring of Rwandan society was the radical altering of the complex indigenous system of chiefs. In 1924 the Belgians sought initially to depose chiefs who, according to the authorities, ‘demonstrated a retrogressive character and who refused to abandon their arbitrary procedures of administration.’<sup>38</sup> This effort to replace all “dead wood” with educated people<sup>39</sup> was institutionalised with the 1926 ‘Mortehan reform’, which ended the traditional three-chief system and created a structure of chieftaincy and a sub-chieftaincy. The reforms sought to manage the territory more efficiently, due to the difficulty in Rwanda’s many authorities at the same time. In 1930 the Resident abolished the smaller *Ibikingi* divisions and those who were benefiting from them.<sup>40</sup> One thousand two hundred and seventy-eight (1,278) sub-chiefs as well as owners of *Ibikingi* were removed.<sup>41</sup> The colonial administration employed a policy of combining chieftaincies to include neighbouring territorial subdivisions, which empowered the provincial chiefs.<sup>42</sup> In some areas, the initiative of exchanging territories was left to the notables themselves. In other cases, a massive removal of chiefs took place from 1930 to 1932, which brought several territories together.<sup>43</sup> Many Hutu chiefs and sub-chiefs were removed as a result.<sup>44</sup>

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<sup>38</sup> Ministère des colonies, Rapport annuel sur l’administration belge, 1924, p.7.

<sup>39</sup> Ministère des colonies, Rapport annuel sur l’administration belge, 1925, p.64.

<sup>40</sup> The *Igikingi* consisted of a hill or part of the hill covered by some homesteads.

<sup>41</sup> Ministère des colonies, Rapport annuel sur l’administration belge, 1926, p.67 In Rutayisire P., and Munyaneza, T., *Op.Cit.*, p. 264.

<sup>42</sup> Ministère des colonies, Rapport annuel sur l’administration belge, 1927, p. 37.

<sup>43</sup> 10 chiefs and 316 sub-chiefs were dismissed on top of King Musinga, in other words more than half of those who existed before the re-organization.

<sup>44</sup> Rutayisire, P. and Munyaneza, T., Rwanda under German and Belgian colonization (1896-1962) in Byanafashe D. and Rutayisire, P., *Op.Cit.*, 265. It is worth mentioning two examples of Hutu sub-chiefs who were dismissed: Nkunzuwimye a sub-chief in Rwabutogo Chieftaincy in Gatsibu Territory. He is presented as follows: “a sub-chief who was least impressive from the prestigious point of view. He was a *Muhutu* who had to be supervised. in all he asked his subordinates to do” (General Report of Gatsibu 1929, p.24 Derscheid papers). Another sub-chief was from Mutara in Gabiro Territory: “Muhuku was not a bad sub-chief. But he was a *Muhutu* who was supposed to be supervised in all his actions. He has to feel that he is supervised. This was the same for all the *Bahutu* who were in key positions” (General report of Gabiro 1929, p.29 Derscheid papers). See also Ministère des Colonies, Rapport annuel sur l’administration belge au Ruanda-Urundi, 1929.



The removal of many lines of command and the decision that chiefs should stay in their chieftaincies (as opposed to the temporary arrangements that prevailed previously) helped achieve the colonialists' goals of a more efficient administrative system, from the Belgian perspective. The re-organization was completed at the end of 1933, by which time there were 65 provincial chiefs exercising authority over an average of 5,500 tax payers and 1,043 sub-chiefs under whose jurisdiction was an average of 343 tax payers. The divisional groupings then continued but at a lower rate. At the time of independence in 1959 there were 55 chiefs and 559 sub-chiefs.<sup>45</sup>

Of particular note and importance, removal of the *Ubuhake* three-chief system meant the removal of the War Chief role. Scholars argue that elimination of the army chief not only 'destroyed the pre-existing balance of forces' but prepared grounds for an authoritarian system centred on the rule of a single and virtually omnipotent chief.<sup>46</sup> Rwanda's military, the protector of pre-colonial society and expander of its territory, became more fused with the interest of the elite rulers and thus more a tool for control and subjugation, if required. The Belgians ultimately sought to replace the King's authority with that of their Chiefs, who were selectively appointed by colonial administrators mainly from the Tutsi. This meant, therefore, that conversations over land contestations – which had been an issue in pre-colonial times - were now mainly determined by elites who had access to education and power.<sup>47</sup>

The pre-colonial tax system was inevitably altered due to this desired restructuring. This further impacted on land issues that were to become an increasingly prominent issue for Rwanda and the relationship between Hutu-Tutsi identities. The territorial reorganization and simplification of the hierarchy led to the problem of existing *Ubuhake* contracts. Under Rwanda's original three-Chief system a person could become a client of a notable but also a subject of another. The notables were always convened and forced to exchange political commands and servants.<sup>48</sup> Politically and administratively, the Belgian authorities undermined this system and restricted its

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<sup>45</sup> Rutayisire P., and Munyaneza, T., *Op.Cit.*, p. 263-265.

<sup>46</sup> Lemarchand, René. *Rwanda and Burundi*. Praeger Publishers, 1970, p. 73.

<sup>47</sup> Interview with Prof. Ruzirabwoba Rwanyindo.

<sup>48</sup> Rutayisire P., and Munyaneza, T., *Op.Cit.*, p. 264. See critical perspectives on *Ubuhake* contract in Mamdani, *Op.Cit.*, pp. 64-66; Nkulikiyimfura J.N., *Le gros bétail et la société rwandaise*. Evolution historique des XIIe-XIVe siècles à 1958, Paris, Le Harmattan, 1994, p.228 ; Prunier, G., *The Rwanda Crisis. History of a Genocide*, London, Hurst & Company, 2002, pp.29-33.

scope. They abolished “*imponoke cows*”, for example, the cows given to the master by the client to replace the king’s cattle, which were hit by disease. Likewise, “*indabukirano*” was abolished, the cows given by lineages to chiefs or deputy-chiefs after their appointment.<sup>49</sup> And chiefs or deputy-chiefs were no longer allowed to become servants or clients of two masters at the same time.<sup>50</sup>

These moves were clearly problematic. A 1936 report by the Ruanda-Urundi administrative authorities noted serious absenteeism by servants who were supposed to fulfil their duties according to the new colonial arrangement.<sup>51</sup> Conflicts between servants and masters became commonplace. From July 1939, in order to reduce the master-servant conflicts as well as to provide reference documents to facilitate the mitigation and *settlement of disputes*, the colonial administration and the King codified customs and practices on *Ubughake*, which were enforced from January 1942.<sup>52</sup> The problem of pastures remained unsolved, however, and the *Ubughake* tax system lingered after independence. In 1934, Rwanda had 1,572,527 inhabitants, 624,102 heads of cattle and 1,263,400 hectares of virgin grazing land, meaning each cattle had approximately 2 hectares of grazing land. In 1955, Rwanda had 2,309,499 inhabitants, 579,831 heads of cattle and grazing land of 875,619 hectares, allowing 1.6 hectares per cattle.<sup>53</sup> The *Ubughake* tax system was increased from the 1950s despite the colonialists’ efforts and the view amongst Rwanda’s emerging leaders that the system was backward.<sup>54</sup> Grégoire Kayibanda, the future first President of Rwanda, made the following comments on the *Ubughake* institution after the inauguration of the first session of the Higher National Council (CSP) in 1954:

(...) it seems that the problem is hard to solve [...] destroying not only the practice and spirit of *Ubughake* as soon as possible. The feudal mentality was in fact built on falsehood, the art of sowing discord, unrealistic policies in order to favour X and Y and kill a rival, consequently, causing mistrust,

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<sup>49</sup> Service order 2213/ Order of September 26<sup>th</sup>, 1924.

<sup>50</sup> Bourgeois R., 1954, *Op.Cit.*, p.24.

<sup>51</sup> Ministère des Colonies, Rapport annuel de l’administration belge. 1936, pp. 65-66.

<sup>52</sup> Rutayisire, P. and Munyaneza, T., G., *Op.Cit.*, p.302.

<sup>53</sup> Rutayisire, P. and Munyaneza, T., G., *Rwanda under German and Belgian colonization (1896-1962)*, *Op.Cit.*, p.305.

<sup>54</sup> Mamdani, *Op.Cit.*, p. 65. Mamdani argues that *ubuhake* exposed the clients to more arbitrary form of exploitation”, including possible confiscation of any personal cattle at the pleasure of the patron.

hatred and other faults of this nature. This is the canker, which is most opposed to the assimilation of Western contribution.<sup>55</sup>

The new political re-organization of Rwanda led to the monopoly of power by the Tutsi. It reinforced ethnic identity through the extension of Tutsi authority and aristocracy to regions where it had never been recognized previously. Introduced in 1931, identity cards helped facilitate and fully institutionalise the stratification by ascribing ethnic identity, which thus determined who was allowed into schools and better paying professions. The identity cards were a critical piece of paper, (and would become ever more so post-independence) that the relevant identity was sometimes purchased, to allow access to opportunity. This all created a systematised privileging of certain groups, through nomination of certain leaders who did not necessarily have traditional authority. A strong focus on hereditary privilege retained power within that favoured group.<sup>56</sup>

### ***Re-learning identity and reversal of power dynamics (1946-1962)***

The period of 1950's to 1990s saw the indoctrination of the youth and old alike in shaping their conceptualization of identity, both of the self and of the "other" to be regarded as an enemy. Rwandan ideas of identity were re-learned and the "conversible" spaces produced dominant ideas of identity in ways that led to violent conflict. Developments in Rwanda were invariably shaped by events within and outside the country as the identity conversations attained new meanings and ultimately restructured the socio-political order in ways that laid the path for war. The period, which began in 1946, was characterized by several events, which unfolded one after the other. The significance of this period is the fact that it was during this period that the *Hutu and Tutsi elites* began expressing their opinions officially in different channels such as the circles and associations of "évolués", journals, official documents, tracts, movements and political parties.<sup>57</sup> Furthermore, this period saw the beginning of Hutu consciousness of their actual misery and potential power.<sup>58</sup>

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<sup>55</sup> L'ami, n° 112, April, 1954, p. 129.

<sup>56</sup> Interview with Prof. Ruzirabwoba Rwanyindo on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, recorded on 13/01/2016: 08:15 GMT.

<sup>57</sup> Reference is made to the leaders of the circles and associations of "évolués" (The Bigirumwami circle Nyundo-Gisenyi, Association of Former Astridians (ASSADA, Association of Former Seminarians, Rwanda Teachers Association, (AMR), Association des Moniteurs du Rwanda). Their writings were published by the Roman Catholic press. *L'Ami*, *Temps Nouveaux d'Afrique* and *Kinyamateka* competed in disseminating new ideas, especially the last

After the Second World War, Rwanda was placed under a Trusteeship by the newly formed United Nations. Effective from 13<sup>th</sup> December 1946 the Trusteeship accord envisaged a specified period at the end of which the territory would become an independent and sovereign state. The espoused mission for protecting the country was now the following:

“(…) the authority charged with the administration will encourage the promotion of indigenous institutions which correspond to the interest of Ruanda-Urundi. To this effect, the Trusteeship Authority will give a chance to the inhabitants of Ruanda-Urundi to participate increasingly in the administration and providing local and central services in the territory, to promote the participation of inhabitants in a representative democracy among the population in appropriate conditions and specific circumstances, to take all measures possible to ensure political evolution of the population of Ruanda-Urundi.”<sup>59</sup>

In practice, Rwanda effectively remained under Belgian rule with its people subject to the colonial masters. But structurally the Trusteeship did bring changes regarding the implementation of its resolutions, so that visiting teams monitored the progress being made towards allowing indigenous people to express themselves. Members of the Trusteeship Council visited Rwanda five times between 1948 and 1962 in order to push for the creation of democracy and the provision of political education for the population. Belgian working procedures were criticised by the visiting teams, who saw certain measures as delaying the country's development. Conversations around fighting

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two newspapers whose chief editors were members of the Seminary Alumni. These were: Aloys Munyangaju, Chief Editor of *"Temps Nouveaux d'Afrique"*. in Usumbura and Grégoire Kayibanda who was the Chief Editor of *"Kinyamateka"* at Kabgayi for some time. Source: Anonymous, "Cercles et associations des évolués du Congo Belge et du Ruanda-Urundi, in *Temps Nouveaux d'Afrique*, 15 janvier 1956, pp. 3-4 ; Kagame, A., "Evolué du Rwanda et les ancêtres. In *La voix du Congolais*, n° 7, janvier-février 1946, p. 250, in Ndikumana, I., *Les évolués et l'évolution socio-politique au Rwanda ( 1945-1959)*, Mémoire présenté et défendu publiquement en vue de l'obtention du grade de Licence en Histoire, 1998, Université Nationale du Rwanda Faculté des Lettres, Butare, septembre, 1998, p. 32.

<sup>58</sup> Bhattacharyya J., , *Belgian Administration in Rwanda during the Trusteeship period with special reference to the Tutsi- Hutu Relationship. Thesis.* University of Delhi, 1967, p. 135.

<sup>59</sup> *The United Nations Organization, UNO Trusteeship Council report of the UNO visiting mission to Rwanda-Urundi, 1948, New York, pp. 9-10.*

for autonomy, changing the restrictive education system, and installing democracy now began to appear more strongly.<sup>60</sup>

The nationalistic politics, which swept across Africa in the 1950s, was not missed in Rwanda. The privileged individuals, who were educated, meaning the Tutsi, were vocal about their nationalist agenda. In fact, the Hutu elite tended to favour the continuation of Belgian presence, at least in the short term, to allow them time to develop their power base in order to perhaps enjoy eventual independence on a more equal basis with the Tutsi. As the Tutsi began vocalizing the cause of Rwandan independence, the Belgian colonists (who resented such moves), chose to pass authority to the underprivileged Hutu. They even began creating civil society groups and selecting leaders from the few neglected Hutu who had actually been educated, and encouraged their belief of having been subjugated by the privileged ruling Tutsi group.<sup>61</sup>

These changes were not sufficient to satisfy growing demands among the Hutu for participation in the political system, but they were great enough to cause a reaction among *conservative Tutsi elites* who became increasingly determined to hold on to 'power'.<sup>62</sup> The calls for independence saw Belgium broaden the internal political power structure and authorise the creation of political parties in 1959.<sup>63</sup> Groups of Hutu organized 'themselves' politically, with the support of the Belgian administration and Catholic Church, to overthrow the monarchy. The killing of some Tutsi' supporters began to occur.<sup>64</sup>

The 1959 authorisation saw a total of 20 political parties appear in Rwanda. Most remained region parties or associations, however, with only four being major national movements. The Aprosuma (Association for the promotion of the social masses) was mostly based in the south of the country, and is seen as the starting point for the "*Hutu*

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<sup>60</sup> This is the summary of the ideas discussed during the Focus group interviews conducted and recorded by Paul Rutayisire, Deo Byanafashe, Kabwete Murinda and Thomas Munyaneza on the History of Catholic church in Rwanda. The study was financed and supervised by National Museum of Rwanda between 2009 and 2010. The recorded interviews are gathered at NMR, Huye, Rwanda.

<sup>61</sup> Interview with Prof. Ruzirabwoba Rwanyindo on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, recorded on 13/01/2016: 08:15 GMT.

<sup>62</sup> Interview with Father Rubumbira, Nyagatare; Chretien, J.P., and Kabanda, M., Rwanda. *Racisme et Génocide. L'idéologie hamitique*, Edition Berlin, 2013, pp.108-113.

<sup>63</sup> The political Parties were created on the basis of the Legislative order N°. 11/234 of 8<sup>th</sup> May 1959 approved by the Ordinance R.U. No 111/105 of 15<sup>th</sup> June 1959

<sup>64</sup> Ibidem. See also Saur, L., *Influence paralleles. L'Internationale démocrate chrétienne au Rwanda*, Bruxelles, Luc Pire, 1998.. Nsengimana J., *Le Rwanda est-il une nation ?*, *Dialogue*, Kigali, Janvier 1993, pp.39-52.

*Power movement.*" Aprosoma expressed its ideology through a journal entitled: "Ijwi rya Rubanda rugufi" (the voice of the lower class) printed into Kinyarwanda language. In their program Aprosoma claimed that: "*Rwanda shall no longer be a colony of the Tutsis. They should not reduce the native Hutu to slavery.*"<sup>65</sup> Parmehutu (Movement of the Hutu Masses) claimed that independence would be achieved only after the colonization of '*blacks by blacks,*' meaning the colonisation of Tutsi by the majority Hutu.<sup>66</sup> It shared a Hutu-power ideology with Aprosoma, but was distinguished by its northern as opposed to southern power base, and the support it received by the Catholic Church.<sup>67</sup>

The UNAR (National Rwandese Union) had a Hutu President (François Rukeba) but declared themselves as enemies of sectarianism and wanted to recruit all Rwandans regardless of their race, social status and religion.<sup>68</sup> UNAR's political aim was the gaining of autonomy in 1960 and independence in 1962, and establishing a democracy and constitutional monarchy.<sup>69</sup> The mysterious death of King Mutara III Rudahigwa on 25<sup>th</sup> July 1959 made the work of this apparently inclusive party more difficult. However, it signalled a break between the colonial administration and the Tutsi authorities, and led to an increase in fear and aggressiveness amidst rumours of foul play in the death. Finally, the RADER (Rassemblement Démocratique Rwandais) was a small party supposedly comprising progressive elements. It was, however, actually a creation of the Belgian authorities who were opposed to UNAR and wanted to divide the Batutsi monarchists.<sup>70</sup>

The racialized understanding of the Hutu-Tutsi divide had taken root, and achievement of power was seen through a lens requiring victory of one group over the other. And

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<sup>65</sup> Murego, D., 1975, *Op.Cit.* p. 897; these were the main themes found in the newspaper called *Ijwi rya Rubanda rugufi* (the voice of the voiceless), developed by Habyarimana. See for example "Manifeste-Programme du parti Uhuru", in Nkundabagenzi (éd.), *Rwanda politique*, pp. 258-261.

<sup>66</sup> See "Manifeste-Programme du Parmehutu" in Nkundabagenzi (éd.), *Rwanda politique*, pp. 113-121. Appel pathétique du Rwanda (*Rwanda's pathetic appeal*), May 8<sup>th</sup> 1960: it was signed by six leaders of the party, including Kayibanda.

<sup>67</sup> G. Kayibanda had ties with many associations which had good working relations with the Catholic Church and throughout the country. For instance mutual assistance groups, Legio Mariae, association of teachers and seminary alumni, associations of former pupils, cultural circles, cooperatives, Sacred heart leagues, teachers' or pupils' choirs, Eucharistic crusades among others.

<sup>68</sup> Nkundabagenzi, F, 1962, *Op.Cit.* pp. 99. 101.

<sup>69</sup> See 'Charte de fondation du Parti 'Unar' (réunion du 15 août 1959), and "Manifeste du Parti politique 'Abashyirahamwe b'u Rwanda (Union Nationale Ruandaise) in Nkundabagenzi (éd.), *Rwanda politique*, pp. 93-101. Maquet, Jacques, J. "La participation de la classe paysanne au mouvement d'indépendance du Rwanda", *Cahiers d'Etudes Africaines*, Vol. 4, No. 16, 1964, pp. 552-568.

<sup>70</sup> Kagame, *Evolué du Rwanda et les ancêtres*, *Op.Cit.*, pp. 265-266; Logiest, G., « *Mission au Rwanda. Un Blanc dans la bagarre Tutsi-Hutu* », Bruxelles, Didier-Hatier, 1988, p. 101.

having never truly forcefully demanded independence, instead being part of the broader trend occurring across Africa, the colonial powers in Rwanda were particularly well placed to grant independence in a fashion that maintained their presence in key positions.<sup>71</sup> The trend was towards fear, accusations and cleavage; and the institutionalization of violence. European administrators and the Hutu elite argued that the Hutu majority should lead independent Rwanda. The tensions around the death of King Mutara III Rudahigwa rapidly escalated into violence. Hutu started decimating Tutsi who began fleeing the country. The Belgians replaced the Tutsi administrators with members of the Hutu population. In 1960 Gregoire Kayibanda headed the provincial government. Kayibanda was a Hutu and former private secretary of the Archbishop of Rwanda Monsignor Perraudin, who had fully supported and possibly shaped Kayibanda's political thought.<sup>72</sup> The monarchy was abolished in 1961 and on 1<sup>st</sup> July 1962 Rwanda was granted full independence.<sup>73</sup>

Thus colonial rule had achieved a wholesale reversal of the social and political order that underpinned the stability of Rwandan society (with its statist logic) in pre-colonial times while also transforming the nature of the conversations that occurred in that society and the conversable spaces. A series of consistent internally generated conversations about identity and society – with an inbuilt logic of mobility and flexibility – were invariably transformed into violent conversations with different ideas of identity and governance. The conversable spaces shifted from internally oriented ones to externally referenced ones.

### ***The First and Second Republics: the consolidation of identity (1962-1975; 1975-1990)***

This political change presented a new opportunity for Rwandans to re-imagine and re-orient ideas on ethnic identities. Instead the influence of Belgian priests and administrators remained, via both their colonial legacy and continued presence in Rwanda. A social revolution in Belgium had recently put the majority Walloon in power

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<sup>71</sup> Interview with Prof. Ruzirabwoba Rwanyindo on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 13/01/2016: 08:15 GMT.

<sup>72</sup> Mamdani, *When Victims Become Killers*, 118.

<sup>73</sup> Gellately, Robert, and Ben Kiernan. *The specter of genocide: Mass murder in historical perspective*. Cambridge University Press, 2003, p.330.

over the Flemish minority. And in Rwanda the former colonial administrators and priests were replaced. The new administrators favoured “majority rule,” which in effect meant Hutu power. The first Republic of Kayibanda (1962-1973) produced identity knowledge that encouraged division and hatred against the Tutsis. The Tutsi who had survived the massacres or not fled in 1959 would now be denied social mobility opportunities such as access to schools.<sup>74</sup> President Kayibanda and the Hutu-elite he brought in to decision-making positions determined what kinds of conversations occurred in the public realm, and the place of Tutsis and Twas in that conversation. The ethnic identities created by the Belgians were now fixed into independent Rwanda’s politics, culture and psyche; but with an acrid twist whereby the majority interests of the hard-working deserving Hutu superseded the minority Tutsi. Tutsi were no longer the superior, intelligent, justified natural rulers of Rwanda but instead seen as sneaky, untrustworthy, power-hungry subjugators.

### ***The role of education in learning identity***

Just like in the colonial era, post-1962 education created an important space for both learning and reinforcing identity differences between groups. Educational opportunities certainly expanded. Primary schooling was declared free and obligatory, and enrolment increased from 250,000 to 386,000 pupils between 1962 and 1975. Secondary education expanded over the same period, with 64 schools and a student population of 11,227 students. And the National University of Rwanda opened in 1963 with six faculties (medicine, agriculture, law, social sciences, natural sciences and arts) and an enrolment of 619 students. Yet in practice this educational expansion was not available for all Rwandans. The education system remained discriminatory after independence, this time in favour of the Hutu and against the Tutsi and Twa. Quotas admitted students not only on merit but ethnicity, which negatively affected many Tutsi children.

School textbooks at the time were written to portray Tutsis as “rich, foreign and oppressors.”<sup>75</sup> Textbooks presented the Tutsi as foreigners from Ethiopia, as hypothesized by colonialists. Such stereotypes were also perpetuated outside of the classrooms meaning children from a young age were indoctrinated with ideologies of

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<sup>74</sup> Mugesera A., *Imibereho y’Abatutsi kuri Republika ya mbere n’iya kabili*, ( 1959-1990), Kigali, Editions Rwandaise, 2004. Nkundabagenzi F., *Op Cit.*, p.342. The report titled “Evénements d’octobre et novembre 1959. Comptes rendus des administrateurs territoriaux confirms that impression.

<sup>75</sup> Rutayisire, Kabano and Rubagiza, *Op.Cit.*, p.332.



divisionism and hatred towards the Tutsis. The new republic inverted the colonial system, with Tutsi (and of course Twa) now marginalized through both the racist ideologies taught in schools and their limited ability to participate in the education system. In the 1980s and 1990s, this mistreatment extended to those who were of mixed ethnicities in particular those from the southern part of Rwanda. These were popularly referred to as Abanyendunga, distinguished from "true" Hutu who were called *Abacyiga*.

The teaching of identity through the education sector was successful in educating Rwandans about the meaning of their identity and how to practice their ethnic belonging to a community. Using the learned race theories and Hamitic myths, the Rwandan population had been clearly divided; even those with mixed ethnicities were forced to identify with one group or the other. In the majority of schools in pre-1994 Rwanda the hidden (and not so hidden) curricula were designed to segregate and alienate ethnic minorities, ensuring cultural reproduction and safeguarding of the dominant position of a certain group.<sup>76</sup> This would become ever more explicit and pronounced in the later lead up to the genocide, with Tutsi being labelled terms like *snake* and *cockroach*.

### ***Regional identity***

A new identity classification also began to emerge, with the question of regionalism surfacing. The Abanyenduga (those from the South where the President Kayibanda originated) and Abacyiga (the Northerners) started new conversations of belonging, with associated access to economic and social mobility. The first Republic perceived the Northerners as good military men. They were important 'partners' because of their hard working culture, fertile land that could provide food for other regions, and their straightforwardness on expressing disagreements or opinions on social issues. Such conversations not only developed these regional stereotypes, but were also reflected in national political leadership, societal organization (such as marriage etc.) and economic.<sup>77</sup>

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<sup>76</sup> Feinberg and Soltis, 2004, pp.62-64

<sup>77</sup> See Shimamungu, op.cit.,

The Second Republic of Habyarimana, emerged out of these conversations and stereotypes of what regional identity meant. The Kayibanda regime ended in 1973 through a coup d'Etat by his chief of staff and head of the army Habyarimana Juvenal. The coup d'Etat confirmed and consolidated the military's role in state-society relations in the post-colonial era, with the army now overtly centralised as the force to maintain incumbency (rather than as protector and unifier of the people). Social imbalances would not be tackled by the new regime.<sup>78</sup> Habyarimana's Northerners identified themselves as Hutus and proud to have little mixed families. They regarded Southerners as weak, Tutsi lovers and lazy. Although there were stereotypes for communities from other regions, the Southern and Northern identities were the most visible in these conversations. Habyarimana's one candidate single party (MRND) model meant he consolidated political power through a culture of fear around elections (where he consistently received very nearly 100% of the votes). Habyarimana did put a few Tutsis in power for representation purposes, but also created a small house - known as Akazu - of advisors from his hometown sub-region of the North West. These were the managers of mainstream conversations allowed in public on identity, politics, economic development, military, law, parliament, society, art and religion. These Hutu elites practiced a Hutu identity, which afforded them power and wealth. As leaders they dominated every sphere of Rwandan society.

Until the late 1980s the state was a strong institution controlled by a Hutu elite largely from the North of Abakiga, the home of Habyarimana. The state offered the best access to upward social, political and economic mobility. It not only controlled access to education, but also dominated the employment market in a country where over 90% of employment was agriculture based. According to Peter Uvin "the state effectively was in charge of all fields of human endeavour and all sectors of the economy."<sup>79</sup> The majority of the pupils receiving education in the year 1980s were predominantly Hutus, and when foreign scholarships were distributed according to regions they afforded more opportunities to those in the North, in Hutu dominated areas such as Gisenyi, Ruhengeri and to some extent Byumba.

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<sup>78</sup> Interview with Excellence Mgr. Servilien Nzakamwita, Kigali, 13-01-2016 : 11:00 GMT

<sup>79</sup> Uvin, 1998, p.22

Ethnic identity remained key, but regional identity continued to be important and was associated with the learned racial distinctions. Foreign educational scholarships, for example, were distributed according to regions. Many more opportunities were provided to those in the North, in Hutu dominated areas such as Gisenyi, Ruhengeri and to some extent Byumba. Gisenyi, the president's home province (and his wife's) had the highest number of foreign scholarships.<sup>80</sup> Most elites who gained scholarships went to France and also Belgium, often returning to form part of the Hutu government and or ending up in the *Akazu*. Scholarships did not benefit areas such as Kibuye and Kibungo that were considered to be inhabited by the Tutsi population.

### ***The role of the Catholic Church***

Since the colonial period the church played a central role as a political institution in its engagement in Rwanda.<sup>81</sup> Apart from the classroom setting, the church, especially the Catholic Church, assumed a central role in Rwandan education. Every corner of Rwanda had a catholic church. As per schools, White Fathers or Rwandan Priests trained in seminaries headed Parishes. Rwanda was reputed to be one of the most overtly religious countries in Africa with over 80% of the population being Roman Catholic believers between the 1960s and 1990s.<sup>82</sup> Catholicism went hand-in-hand with politics, and was often referred to in the media as an 'umbilical relationship'. It was thus important that all the post-colonial and powerful Hutu presidents were baptised Catholics – it was part of their identity. Every young man and woman, who wanted to develop in Rwanda, needed to be baptised by the Catholic Church to be considered modern. In Rwanda, priests were feared, respected, adored and at times Bishops were even worshiped and praised. A Bishop assumed similar social position that the King occupied in pre-colonial Rwanda: he was a divine appointment, which was trusted and feared by politicians and presidents. Visits to the Vatican, or visits of a Pope or Catholic cardinal to Rwanda, were more organised than that of a European Head of State.<sup>83</sup>

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<sup>80</sup> Prunier, Gérard. *The Rwanda Crisis, 1959-1994: History of a Genocide*. London: Hurst & Co, 1995, p. 86.

<sup>81</sup> Longman, Timothy P. *Christianity and Genocide in Rwanda*. Cambridge, UK: Cambridge University Press, 2010, pp. 167-170.

<sup>82</sup> Peterson, Scott. *Me Against My Brother: At War in Somalia, Sudan, and Rwanda: a Journalist Reports from the Battlefields of Africa*. Psychology Press, 2000, p. 249

<sup>83</sup> Adelman, Howard, and Astri Suhrke, (eds). *The path of a genocide: the Rwanda crisis from Uganda to Zaire*. Transaction Publishers, 1999, p.86.

Destroying the divinity of the Rwandan King, with the 1931 deposition of King Musinga referred to above, impacted considerably on Rwanda's political structure of Rwanda, and the church consistently engaged actively in the ethnic politics that emerged. The missionaries, for instance, not only promoted the racial hierarchical divisions in Rwanda but chose to ignore the importance of other social divisions. Region and clan identities, among others in Rwanda, were ignored in preference of the Hutu, Tutsi and Twa being the most important social identities. This perspective shaped both the European engagement in Rwanda and, more importantly, reshaped social realities whereby discrimination along ethnic identities was legitimised.<sup>84</sup> Priests, Nuns and Bishops communicated moral lessons about the ethics of killing, interpreting what identity means and how to act as a result of this understanding. The prominence of the Church in Rwandan society, and their compliance in the racialized ideology that had taken root, would be demonstrated during the 1994 genocide. When the massacres began thousands of people sought refuge and protection in the churches, which then became sites of mass killings.<sup>85</sup> Bishops and other clergies were actively involved, both directly and indirectly, in the massacres, and the Catholic Church overwhelmingly mute and blind to the atrocities.<sup>86</sup>

### ***International Community support***

The overt and underlying structural discrimination and divisive inequality prevalent in Rwanda did not stop international community considering it a development success story. A 1982 World Bank Report explicitly commented: 'Rwanda's approach to economic and social development could be considered successful.'<sup>87</sup> Rwanda was one of the most aided countries in the world, receiving a much donor-aid than private investment and commercial export revenues combined.

Prior to 1994, not one of the 200 plus NGOs and bilateral and multilateral donor representatives in the country denounced the official racism or increasingly divided society, even in the 1990s when it became clear that mass killings were being

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<sup>84</sup> Longman, *Op.Cit.*, pp. 169.

<sup>85</sup> For analysis of scale of the role of the church in Rwanda, see; Carol Rittner, John K. Roth, Wendy Wittworth, *Genocide in Rwanda, Complicity of Churches?*, Paragon House, London, (2004)

<sup>86</sup> Peterson, *Op.Cit.*, pp. 273-279.

<sup>87</sup> Uvin *Op.Cit.*, 43

prepared.<sup>88</sup> Donor agencies seemingly adopted a policy of “voluntary blindness” to the politics of injustice, exclusion and prejudice in Rwanda.<sup>89</sup> Foreigners working with or in Rwanda seemed to take the identity categories for granted, assuming them to be an intrinsic part of Rwandan society and thus learned to ignore the marginalisation of the Tutsis (and Southern Hutus). Continued World Bank support indicated to the Rwandan Hutu elites that their discriminatory practices were acceptable. Donors were operating in an apolitical, technocratic bubble that cast Rwanda as a “development problem” that could be - and was - being “solved” through planning, infrastructural development and research, with projects designed and overseen by their international “experts”.<sup>90</sup>

### ***External conversations: reaction and refugees***

Just as the colonial marginalisation of Hutu had eventually led to resentment and reaction, however, the 1980s into the 1990s saw a push to open up conversations on political leadership and political parties. Disenfranchised Southerners, politicians from mixed families, and a few Tutsis were involved. The Twa’s voice, as ever, was ignored and discussion of their identity existed in silence. Habyarimana’s government had sought to move Twas into their own villages in a given region. Framed as a development policy, this simply excluded them from national conversations. Twas largely became disengaged citizens who were rarely consulted on any matters of society, including those that directly concerned their lives.<sup>91</sup>

Outside of Rwanda’s carefully managed domestic conversable spaces, the First and Second Republics saw refugee exiles formulating their own conceptions of identity, belonging, and Rwandaness. These would become chief protagonists in the Rwandan state-building narrative in the 1990s and beyond. Refugees, or the ‘political exiles’, were Rwandan (Tutsi) refugees led by a small group of elites who had fled to Uganda at the beginning of Hutu oppression in 1959.<sup>92</sup> Other Rwandan ‘migrants of Rwanda culture’ had existed previously, being those who had a shared identity but were displaced by colonial boundaries or economic migrants who had voluntarily fled to Uganda,

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<sup>88</sup> *Ibid* pp. 44-45.

<sup>89</sup> Uvin, Peter. "Difficult choices in the new post-conflict agenda: the international community in Rwanda after the genocide." *Third world quarterly*. 22, no. 2 (2001): pp.177.

<sup>90</sup> Uvin, Peter. *Aiding violence*, pp. 44-46

<sup>91</sup> This was particularly evident from the case of Abatwa from Kanama and Mutura Sectors.

<sup>92</sup> Long, Katy. "Rwanda's First Refugees: Tutsi Exile and International Response 1959–64." *Journal of Eastern African Studies*. 6.2. 2012, p.213.

Tanganyika (now Tanzania) and the Congo.<sup>93</sup> By 1959 it was estimated for instance that 350,000 Rwandan migrants already lived in Uganda (with similar numbers in Zaire),<sup>94</sup> but the refugees who fled the 'little genocide' during the decolonisation period were a somewhat different breed.<sup>95</sup> Unlike the previous migrants, who had more or less settled in their host countries, the refugees who emerged from the Rwandan post-colonial state maintained a strong sense of identity and were considered different from the hosts.

The idea of going home, therefore, was central to how they defined themselves and related to their host countries. The elite Tutsi refugees constantly mounted border raids in Rwanda -popularly known as *Inyenzi* (cockroach) raids - which helped entrench anti-Tutsi sentiment in Rwanda and anti-immigrant sentiment in Uganda. They also led to further refugees fleeing to Uganda. But the networking of the elite refugees in their host countries, especially in Uganda, changed the dynamics considerably in the late 1960s and 1970s: they advanced socio-economically; organised; and became influential politically in the country, regionally and internationally; eventually becoming an existential threat to the Obote government in Uganda.<sup>96</sup>

The refugee organization Rwandese Alliance for National Unity (RANU), created in 1979 in Uganda, immediately articulated a military option (known as option "O") for returning home if needed. As Uganda's Yoweri Museveni began his five-year guerrilla war against Milton Obote in 1981, his National Resistance Army (NRA) included several key figures in the Rwandan refugee movement.<sup>97</sup> Fred Gisa Rwigema, Paul Kagame and Sam Byaruhanga joined NRA as part of their training and preparation for their intended future military invasion in Rwanda.<sup>98</sup>

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<sup>93</sup> Newbury, David. "Returning Refugees: Four Historical Patterns of "coming Home" to Rwanda." *Comparative Studies in Society and History*. 47.2. 2005, pp.261-270.

<sup>94</sup> On statistics on refugees in Uganda see, *Ibid.*, 268. It is also important to note there were other refugees living in other countries like in the Congo where the Belgians had moved Rwandans along with other natives of the colony, to work in the mines in Eastern Congo. See Jewsiewicki, Bogumil. "Le Colonat Agricole Européen Au Congo-Belge, 1910-1960: Questions Politiques Et Economiques." *The Journal of African History*. 20.4 (1979): 559-571.

<sup>95</sup> Long, *Rwanda's first Refugees*, p. 213.

<sup>96</sup> Otunnu, O. "Rwandan Refugees and immigrants in Rwanda." In *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire*. Eds. H. Adelman, and A. Suhrke,. New Brunswick, NJ: Transaction Books, 2000, pp. 14-24.

<sup>97</sup> *Ibid*, pp. 237- 241.

<sup>98</sup> Otunnu, O. "An Historical Analysis of the Invasion by the Rwanda Patriotic Army (RPA)." In *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire*, Eds. H. Adelman, and A. Suhrke,. New Brunswick, NJ: Transaction Books, 2000, pp. 31-34.

Following NRA's 1986 victory in Uganda and Museveni's ascendancy to President, RANU transformed into the Rwandan Patriotic Front (RPF) after long discussions at its 1987 Congress.<sup>99</sup> The creation of RPF gave the movement new orientation impetus toward awakening the Rwandan Diaspora. Trained cadres crisscrossed all regions where diaspora lived creating cells, political schools, and training camps. Monthly meetings took place in Uganda. Recruiting Hutu and associating them with the RPF initiative to liberate the Rwandan people constituted an essential aspect of the political program of the RPF.<sup>100</sup> The relatively few Hutu refugees were contacted in Zaire, Uganda, Burundi and Tanzania. The RPF quickly became a serious and capable military force.<sup>101</sup> As Alexis Kanyarengwe recalls about meeting Fred Rwigema:

"Fred was a very simple, respectful man; he had cordial relations with people. His intentions and his words translated into acts. It was not loose talk (*ntibyari igipindi*). He was someone with a great military experience; a respected man who commanded attention. When you exchanged with him, you were quickly filled with what he said to you. The problem with many people is that you are never sure that their words correspond to their acts. I was promptly convinced by what he said to me. I saw that he had the capacity to lead, and I felt that I could assist him. That is why I accepted responsibilities in the RPF. I knew the country, I had relations and I knew politicians."<sup>102</sup>

Habyarimana's government intensified anti-Tutsi sentiments whilst these organising efforts outside Rwanda were taking place. In 1992, for example, the then Minister of Secondary Education opposed discrimination against Tutsi in schools. She was immediately cautioned by the regime and discriminatory quotas were radicalized. At the same time, a militia for the ruling political parties (CDR and MRND) was created.<sup>103</sup> An extremist media supportive of the MRND regime further promoted a racialised and anti-Tutsi Hutu identity. Finally, the *Interahamwe* (those who attack together) were a

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<sup>99</sup> Testimony from Tito Rutaremara and Mike Rugema interviewed by Rutayisire Paul, Kigali, 2014.

<sup>100</sup> *Ibid.*

<sup>101</sup> Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *Rwanda : la Renaissance d'une Nation. Histoire du Front Patriotique Rwandais des Origines à 2003*, Editions of the National University of Rwanda, Huye, 2014, p.138.

<sup>102</sup> Interview with A. Kanyarengwe, October 30, 2002 in Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *op.cit.*, 2014, p. 139.

<sup>103</sup> CDR (Coalition pour la Défense de la République)

group of young rebels being trained to hate and kill Tutsi (and moderate Hutu). These actors would now become the key players in a war and failed settlement that ultimately led to genocide.

### ***The role of popular culture in the learning of identity***

Rwandans who had a stake in preserving the categories and their prescribed hierarchical meaning understood the importance of employing popular culture to consolidate differences. No longer were the terms “Hutu” and “Tutsi” simply in reference to ethnic categories; but their entrenchment into society meant that they had real psychological and emotional implications. The Hutu Ten Commandments, published in the popular media forum, the Kangura newspaper, were taught around villages and in different communities to offer a set of rules that would guide the Hutu population. The Ten Commandments, authored and published by Hassan Ngeze, was a document of identity reference. They were as follows; (translated in English as they were composed in Kinyarwanda)

1. Every Hutu must know that the Tutsi woman, wherever she may be, is working for the Tutsi ethnic cause. In consequence, any Hutu is a traitor who:
  - Acquires a Tutsi wife;
  - Acquires a Tutsi concubine;
  - Acquires a Tutsi secretary or protégée.
2. Every Hutu must know that our Hutu daughters are more worthy and more conscientious as women, as wives and as mothers. Aren't they lovely, excellent secretaries, and more honest!
3. Hutu women, be vigilant and make sure that your husbands, brothers and sons see reason.
4. All Hutus must know that all Tutsis are dishonest in business. Their only goal is ethnic superiority. We have learned this by experience from experience. In consequence, any Hutu is a traitor who:
  - Forms a business alliance with a Tutsi
  - Invests his own funds or public funds in a Tutsi enterprise
  - Borrows money from or loans money to a Tutsi
  - Grants favors to Tutsis (import licenses, bank loans, land for



construction, public markets.)

5. Strategic positions such as politics, administration, economics, the military and security must be restricted to the Hutu.
6. A Hutu majority must prevail throughout the educational system (pupils, scholars, and teachers).
7. The Rwandan Army must be exclusively Hutu. The war of October 1990 has taught us that. No soldier may marry a Tutsi woman.
8. Hutu must stop taking pity on the Tutsi.
9. Hutu wherever they are must stand united, in solidarity, and concerned with the fate of their Hutu brothers. Hutu within and without Rwanda must constantly search for friends and allies to the Hutu Cause, beginning with their Bantu brothers. Hutu must constantly counter Tutsi propaganda. Hutu must stand firm and vigilant against their common enemy: the Tutsi.
10. The Social Revolution of 1959, the Referendum of 1961 and the Hutu Ideology must be taught to Hutu of every age. Every Hutu must spread the word wherever he goes. Any Hutu who persecutes his brother Hutu for spreading and teaching this ideology is a traitor.<sup>104</sup>

By the start of the 1990s many Rwandans had chosen (or been forced to choose) a certain ethnic affiliation, or believed they were Hutu or Tutsi. These identities were somewhat dynamic, however. Identity cards were often brought or fabricated in order to access particular opportunities. Those from mixed marriages in particular were able to change their identity and belonging when it suited a particular circumstance at any given time. An estimated 20% of army officers were Tutsi carrying Hutu ID cards, many of whom were 'open secrets'.<sup>105</sup> Some Tutsi, especially from the North, were convinced of their Hutu identity as they believed that no body from their particular area could be a Tutsi due to the prevailing regional-ethnic stereotypes.

Pop culture became prominently influential in the years preceding war and genocide. Simoni Bikindi music was extremely popular and aired acted in a similar manner to the

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<sup>104</sup> Quotes from the Gisozi genocide memorial, Kigali, in field notes of summer 2009. It was published in Kinyarwanda in Kangura newspaper no. 6, December 1990.

<sup>105</sup> From interviews conducted by Olaf Bachmann with Rwandan and Belgian army officers who served with Rwandan's in the Second Republic

Ten Commandments, providing guidelines for what could be considered a “true Hutu”. Bikindi’s hatred for RPF sympathizers or Tutsis was clear. His songs would be played heavily on extremist radio stations during the 1994 genocide, and in 2008 the International Criminal Tribunal for Rwanda (ICTR) found him guilty of inciting genocide. Bikindi had mastered the art of popularising and spreading ideas he had learned in University and other forms of education - primary and high school – which had carried the undertones of the myths about Rwandan identity that had been fabricated by the colonial powers.

Bikindi’s music illustrates just one case in which artists were influential in educating the public about identity. Commencing in the 1980s Bikindi composed and performed his music with his cultural group in the tunes of traditional genres that encouraged and led his fans to dance. Some of his most famous compositions included: *Intabaza* which was also popularly known as *Bene Sebahinzi* (The Sons of the Cultivators) - meaning that Hutus could be identified according to the colonial theories, which had identified them as farmers; *Ingabo z’ igihugu* – a song he composed for the government’s army to motivate soldiers who were fighting against the RPF insurgency between 1990-1994; *Nimwe mwariraye ingabo z’ u Rwanda* – a song expressing the Rwandan army is the one that always won the battle; *Twasezereye ingoma ya cyami na gikoronize*, - another about resisting colonialism and the oppression of kingdoms.

Bikindi’s songs provide clear examples of how the public was educated through this informal yet influential means of music. Bikindi began his “teaching” songs with traditional instruments. He used the umuduri which was an instrument similar to the western violin; the ingoma, a drum which was important in Rwandan culture; and sounds of *amayoyi y’ intore*, the bells worn on the legs of young male dancers. In one song, *Nanga Abahutu*, (composed in 1993 as the battle between the Rwanda Patriotic Front (RPF) and the army of the Rwandan government was intensifying in the North), Bikindi rebuked any Hutus who were known to be supporting the Tutsis-dominated RPF. The lyrics were:

*Nanga Abahutu, nanga abahutu basebya ubuhutu.*

*Benwacu, Abo bahutu batiyizi, biyibagizwa icyo baricyo*

*Nanga abo bahutu bagenda batabona iyo bagana (x2)*

I hate those Hutus, those de-hutuized Hutus, who have given up their identity, dear comrades. I hate those Hutus, those Hutus who walk blindly (x2)

*Ibyo bicucu, barwana intambara batazi icyo igamije*

*Nanga abo bahutu abo bahutu umuntu azana kwica bakica abandi bahutu*

*Kandi kubanga nibyo byiza (x2)*

Fools, naive Hutus committed in a war of which they do not know the cause,” he has written. I hate those Hutus who can be brought to kill and who, I swear, kill Hutus, dear comrades. And if I hate them, its all for the better.

His songs were easy to sing and memorise and had an “infectious” rhythm, making them popular at weddings or at other social gatherings. By playing it in social events, or during public government events the song inflated hatred in the masses minds. The song forced people to decide whether or not they hated Tutsis. It encouraged the masses to be good Hutus and to hate Tutsis who did not deserve to be liked, or associated with. In 1992 and 1993, various high schools began rioting, with many refusing to be taught by Tutsi teachers, or their Tutsi principals. The idea of hating the Tutsi became a reality when “Tutsi-like” students were being harassed in schools, both by teachers and their Hutu colleagues. The song was always sang whenever riots were held. They were also played on RTLM radio, popular with the masses in rural areas who, tended to follow whatever their local government official or in this case the radio dictated.

Post-colonial Rwanda under those two Republics had therefore witnessed a complete turn in the form and actors in conversation although the conversable spaces had maintained some consistencies. A new set of national actors took over from where colonial leaders stopped, with having reinforced the central conversation on identity.

Those in conversation and the conversable spaces had become more diverse with educational spaces, refugee spaces outside Rwanda and social spaces within the country increasing in sophistication and forms of expression. The military space would return to significance with the violent form of this conversation achieving prominence from 1990 until the genocide.

## **PART II: Pre-genocide Rwanda and attempts at political settlement**

The pre-genocide political atmosphere of the late 1980s and early 1990s amplified the question of Tutsi refugees who had fled to neighbouring countries. The refugee issue, had for a very long time, remained suspended and had no solution. The involvement of Rwandans in counter-insurgency operations in Museveni-led National Resistance Movement and the perception that the refugees were benefiting from resources such as land resulted to anti-refugee sentiments from within Uganda.<sup>106</sup> The un-official response by the Rwandan government to refugee calls that they wished to return home was that the country had limited space and Rwanda was full.<sup>107</sup> It could not accept any other people. In 1986, Uganda's Museveni attempted a rapprochement between Habyarimana and the refugees in his country, but Habyarimana said that Rwanda would only accept returnees who were well educated and could add value, but not the general refugee population.<sup>108</sup>

This polarising rhetoric further entrenched anti-Tutsi sentiments in Rwanda. In seeking to dominate and manage those discussions around the refugees, the Akazu intellectuals sought to clarify who belonged to the Hutu identity and the privileges that should be accorded to them. The 10 commandments of Hutus were an effort to reunite Hutus in all regions and disregard the regional identities that had taken root. Symbols and art were also used to unify Hutu identity, such as the *isuka* (a hoe) indicating the noble Hutu profession of agriculture. Under *Habyarimana's* government, France became the most influential foreign power in the country, overtaking Belgium. The French not only propped up Habyarimana through military support, but also reinforced the official narratives on Hutu entitlement and about the Northerners involvement in political power. This 'Faustian bargain' in return gave France favourable access to trade deals in Rwanda and positioned them strategically in the region.<sup>109</sup> There was also personal friendship between both presidents' families of Mitterrand and Habyarimana.

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<sup>106</sup> This perspective has been derived from Orenge Ottunu's discussion on factors that led to timing of RPF invasions into Rwanda. See Otunnu, *An Historical Analysis of the Invasion by the Rwanda Patriotic Army (RPA)*, pp. 34-49.

<sup>107</sup> It was only in 1979 that there was an attempt by refugees to make a formal petition to the government to return back home, when they also wrote officially to the UN and OAU.

<sup>108</sup> Interview with Prof. Ruzirabwoba Rwanyindo on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 13/01/2016: 08:15 GMT.

<sup>109</sup> Kakwenzire, J and Dixon K. "The Development and Consolidation of Extremist Forces in Rwanda 1990-1994." In *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire*, ed. H. Adelman, and A. Suhrke, New Brunswick, NJ: Transaction Books, 2000, pp. 82-85.

Increasing hostility in host countries and the Habyarimana government's unwillingness to resolve tensions over the social exclusion issues left the refugees with increasingly limited options. The RPF took up arms and conflict ensued.<sup>110</sup> The UN-led Arusha peace talks indicated that the International actors were alert to the increasingly violent local conversations in Rwanda that also had serious regional implications. Although the political settlement processes in Rwanda are not deliberately sequenced events, this study categorises events in a yearly, and at times, a monthly chronological manner for purposes of describing the process. In this regard, pre-genocide Rwanda and attempts at political settlement can be classified into five main phases.

### ***Phase one: Pre - genocide 1990-1992***

This phase began after an outbreak of civil war in 1990 when the Rwandan Patriotic Army (RPA)—armed wing of the Rwanda Patriotic Front (RPF)—based in Uganda invaded Rwanda from the northern regions on 1 October 1990.<sup>111</sup> Gerard Prunier observed that political instability and deteriorating economic conditions in the country contributed to the crisis. Prunier argues that 'shrinking' sources of revenue from agriculture and mining – a major source of enrichment for the elite led to fierce internal power struggles as competition for the declining resources intensified. This situation was exacerbated the government increasing taxes especially among peasant farmers and cutting social services amidst threats from drought and declining food production. Government reaction to criticism was heavy-handed with repression of opposition groups and the press.<sup>112</sup> Combined with the crisis of citizenship and indigeneity of refugees in Uganda - which included state-sponsored repression, exclusion, expulsion and prejudice of Rwandan migrants and refugees - RPF deemed the time ripe to launch their invasion.<sup>113</sup>

Officially, the Rwandan government considered the RPF attack as a surprise.<sup>114</sup> The first reaction of Habyarimana was to alert his Western godfathers whom he immediately visited upon leaving a UNICEF conference. He also alerted his regional

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<sup>110</sup> Interview with Protai Musoni on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 14/01/2016: 08:15 GMT

<sup>111</sup> Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *Op.Cit.*, 2014, p. 149.

<sup>112</sup> Prunier, Gérard. *Op.Cit.*, *The Rwanda crisis*, pp. 84-92.

<sup>113</sup> Prunier, Gerard. "The Rwandan Patriotic Front." In Clapham, Christopher S., ed. *African guerrillas*. Oxford (GB): J. Currey; Reed, Cyrus. "Exile, Reform, and the Rise of the Rwandan Patriotic Front". *Journal of Modern African Studies*. 34( 3), pp. 479-501; Otunnu, *An Historical Analysis of the Invasion by the Rwanda Patriotic Army (RPA)*.

<sup>114</sup> Interview with Mugesera Antoine, Seyinzoga Jean and Rutayisire, Kigali, 2015

friends.<sup>115</sup> The conflict was instantly internationalized with the military implication of the European countries (Belgium and France), and African countries (Zaire).<sup>116</sup> The Kigali regime immediately began arresting presumed accomplices (*ibytso*): Tutsi and Hutu who held critical views on the regime. Approximately 8.000 persons, in reality more, were arrested and imprisoned in inhumane conditions. In the government propaganda, it was now a foreign aggression led by Uganda. The RPF was presented as the reincarnation of the *Inyenzi* (cockroach), representatives of Tutsi monarchists whose objective was to reinstall the monarchy and to exploit the Hutu by nullifying the achievements of the "1959 revolution". For the Kigali regime and its French allies, the RPF had the support of the English-speaking and Anglo-Saxon countries to destabilize a French-speaking State.<sup>117</sup>

The RPF demanded that President Habyarimana's government allowed refugees to return to Rwanda, prepare for elections, adopt a new constitution, respect human rights and the rule of law, and reduce the powers of the President.<sup>118</sup> As RPF gained ground on the battlefield, the government promised political reforms and attempted to negotiate a settlement by establishing a refugee repatriation programme.<sup>119</sup> These attempts failed when it became clear to the RPF that the government was trying to covertly exploit factionalism within the RPF army whilst trying to mobilise military support from foreign allies.<sup>120</sup>

Pressure from both the international and regional community demanding Rwanda liberalise governance of the state through increased political and media freedoms inadvertently worsened the situation in several ways. The constitutional reforms process that paved the way for plurality and emergence of opposition political parties in August 1991 took place entirely within northern and southern Hutu political elites in President Habyarimana's dominant party – *Movement Révolutionnaire National pour le*

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<sup>115</sup> Interview with Mbonimana G, Kigali March, 2015.

<sup>116</sup> Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *Rwanda : la Renaissance d'une Nation. Histoire du Front Patriotique Rwandais des Origines à 2003*, Editions of the National University of Rwanda, Huye, 2014,p.150.

<sup>117</sup> Ibid

<sup>118</sup> Watson, C. "War and Waiting." *Africa Report*. 37.6.1992, pp 51-55. .

<sup>119</sup> Otunnu, *An historical analysis of the invasion by the Rwanda Patriotic Army (RPA)*, pp. 31-49.

<sup>120</sup> Help in the form of arms, financial and troops support initially came from France but also other countries like Egypt, Belgium, South Africa, Zaire, Britain, Bulgaria, Italy, Israel, and Seychelles provided arms and other military support to Rwanda's government. See Arms Project (Human Rights Watch). 1994. "Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War." New York, NY: Human Rights Watch Arms Project.

*Développement* (MRND).<sup>121</sup> The ruling political elites (including those in the army and civil service) exploited existing ethnic cleavages and regional differences between the Hutu and Tutsi to re-arm and mobilise support for 'Hutu power,' and confronted the weakening dominance of the MRND. In 1992 they mobilised radical youth groups such as the *Interahamwe* in MRND to attack opposition parties. At the core of this strategy was 'racialised political discourse' aimed at ensuring survival of the state by eliminating of the political enemies [which meant the Tutsi] and reinstating Hutu dominance.<sup>122</sup>

Opening up of the press also had dramatic unintended consequences. Independence of media led to the establishment of both private press and radio owned and operated by political elites and Hutu extremists allied to MRND who eventually used it to spread Hutu Power propaganda and ideology.<sup>123</sup> The RPF invasion and the ensuing state-sanctioned extremism - especially with the formation of CDR party in 1992 - re-ignited, crystallised and reinforced politicisation of ethnicity between the Hutu and Tutsi.<sup>124</sup>

Prunier notes that during this time, massacres were a common feature and mainly preceded political meetings during which a sensibilisation - putting peasants 'in the mood' to prepare them to kill the RPF and their sympathisers - process was carried out.<sup>125</sup> More importantly was the manner in which the elite used the sensibilisation process to manipulate societal culture and traditional identities of the peasantry. For instance, after the political meetings the state through the ministry of interior would sanction the killings with a coded calling for special *umuganda* (collective work session) and *bourgmestre* 'bush clearing'. These were identifiable with the illiterate peasants

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<sup>121</sup> Kakwenzire, Joan, & Kamukama, Dixon. "The development and consolidation of extremist forces in Rwanda 1990-1994." In Howard Adelman and Astri Suhrke, eds. *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire*. New Brunswick, USA: Transaction Publishers, 1999. pp. 66-68.

<sup>122</sup> For a detailed explanation on this see, Hintjens, Helen M. "Explaining the 1994 Genocide in Rwanda." *The Journal of Modern African Studies*. (1999): 241-286.; Mamdani, *When victims become killers*, pp.189-211.

<sup>123</sup> This role of the media in the pre and post genocide in Rwanda for example, use of the Hutu owned magazine, *Kangura* to spread propaganda and Radio Télévision Libre des Mille Collines (RTLM) to misinform and spread hate messages, has been extensively discussed in Thompson, A. (Ed.). (2007). *The media and the Rwanda genocide*. IDRC. However, a contentious question has been whether propaganda fomented the genocide. A recent paper by David Yanagizawa-Drott gives convincing empirical analysis of the link between media and conflict and argues that of under certain conditions, propaganda spread through mass media especially one that encourages violence against defenceless and vulnerable ethnic minority groups, is capable of instigating participation in violence. See, Yanagizawa-Drott, David. "Propaganda and conflict: Theory and evidence from the Rwandan genocide." *Quarterly Journal of Economics*, forthcoming (2010).

<sup>124</sup> Langford, Peter. "The Rwandan Path to Genocide: the Genesis of the Capacity of the Rwandan Post-Colonial State to Organise and Unleash a Project of Extermination." *Civil Wars*. 7.1, 2005, pp.1-27..

<sup>125</sup> Prunier, *Op.Cit.*, pp 137-138.



and piggybacked on the traditional political culture of a 'systematic, centralised and unconditional obedience to authority.'<sup>126</sup>

Conversely, RPA attacks further bolstered Hutu extremism and more importantly, militarisation of the society through the national army, Forces Armées Rwandaises (FAR) troops, and French forces.<sup>127</sup> The Rwandan government used the tense political situation to arbitrarily arrest Tutsi intelligentsia and elite businessmen as well as moderate Hutu sympathisers.<sup>128</sup> Massive displacement of people also occurred in most of RPA occupied territories. Instability from the civil war led to immense suffering both from massive internal displacement and the collapse of the economy. This eventually led to declaration of a ceasefire in August 1992, and the opening of negotiations between the government and the RPF.<sup>129</sup>

### ***Phase two: Peace negotiations: sub-regional mediation pre-Arusha***

Initiatives to end the conflict in Rwanda began after RPF's invasion. This began with the attempts by the Organisation of African Unity (OAU), Belgium, France, US and countries like Tanzania and Uganda to bring together Habyarimana's government and RPF.<sup>130</sup> President Habyarimana unwillingly accepted sub-regional mediation. Negotiations focused on ending the violence rather than the broader vision of unity of the country. The RPF was present in most of the meetings they were invited to. Such opportunities were used by RPF to show their goodwill, but ceasefire also gave a chance for RPA troops to rest and train.<sup>131</sup> The key moments in the sub-regional efforts to end the conflict prior to the Arusha negotiations include:<sup>132</sup>

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<sup>126</sup> *Ibid.*, p. 141.

<sup>127</sup> It is estimated before the attack 1990 invasion by RPA, FAR had an arm of 5000 men. By late 1991 the FAR had increased to close to 40,000 but poorly trained but armed troops. The army suffered huge losses in offensives against RPA especially in northern regions. The state response by the regime was to create armed civilians youth militias – *interhamwe* who René Lemarchand estimated at 30,000 who were trained by the presidential guard and coordinated by the akazu (meaning 'little house in Kinyarwanda) – a core group of President Habyarimana inner circle. See, Lemarchand, René. 1995 "Rwanda: The rationality of genocide." *Journal of opinion*: 8-11.

<sup>128</sup> Prunier, *Op. Cit.*, pp. 109-10

<sup>129</sup> Langford, *The Rwandan Path to Genocide*, p. 14.

<sup>130</sup> For a detailed account see, Jones, Bruce D. "The Arusha Peace Process." In *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire*, ed. H. Adelman, and A. Suhrke., New Brunswick, NJ: Transaction Books, 2000, pp. 132-136.

<sup>131</sup> Interview with Protai Musoni, 2016.

<sup>132</sup> Unpublished RPF archives, consulted by Rutayisire Paul. Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *Rwanda : la Renaissance d'une Nation. Histoire du Front Patriotique Rwandais des Origines à 2003*, Editions of the National University of Rwanda, Huye, 2014, pp.229-235. See also unpublished Archive Revue Dialogue, consulted by Munyaneza Thomas, June-October 2015: Summary of events in Dialogue edited between 1990 and 1993. The

1. On 17<sup>th</sup> October 1990: Mwanza communique following the meeting of three presidents (J.Habyarimana, Museveni and Mwinyi). The communique stated that: "the Rwandan government is committed to initiate a dialogue with the opposition, both internally and externally, under the auspices of the Secretary General of the Organization of African Unity".
2. On 26<sup>th</sup> October 1990: Gbadolite Agreements. Museveni, Chair of the OAU, joined the presidents of Zaire, Burundi and Rwanda, meeting in the framework of the CEPGL.<sup>133</sup> The Presidents of Zaire, Burundi and Rwanda had spoken, on 23<sup>rd</sup> and 24<sup>th</sup>, about the problem of Rwanda. Museveni was informed of the results: reaffirmation of resolutions contained in the *Mwanza Communique*. The four heads of state spoke of an "African peacekeeping force" to monitor the cease-fire and the principle of a group of observers from neighbouring countries is maintained. The heads of state mandated President Mobutu of Zaire to act as an intermediary between the two warring sides and reaffirmed the proposal of a regional summit on the problem of refugees.
3. On 19<sup>th</sup> February 1991: Dar-es-salaam declaration on refugees. It is in this statement that the Heads of State and Government of the sub-region and the Secretary General of the OAU mandated Mobutu to "take immediate and urgent action likely to establish a dialogue leading to a formal cease-fire between the government and the RPF".
4. On 17<sup>th</sup> February 1991: Zanzibar meeting (between Habyarimana, Museveni and President Mwinyi of Tanzania), preceded by the Cyanika meeting at the Rwanda-Uganda border (between Museveni and Habyarimana) of 20<sup>th</sup> November 1990. They reaffirmed the Mwanza line of internal and external dialogue and holding a regional conference on refugees (scheduled for 19<sup>th</sup> February 1991 in Dar-es-salaam). Habyarimana promised to observe a cease-fire starting from 18<sup>th</sup> February 1991 at 10:00. Museveni promised to exert pressure on the armed opposition to observe the cease-fire at the same time. It was rather an effort to ease tension between Museveni and Habyarimana. The official release said: "...

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documents are accessible at Revue Dialogue office, Kigali, Nyamirambo.

<sup>133</sup> CEPGL - Communauté Économique des Pays des Grand Lacs (in English ECGLC - The Economic Community of the Great Lakes Countries).

the two presidents met in front of a mediator who helped them to resolve their conflict.”<sup>134</sup>

5. On 25<sup>th</sup> March 1991: signing of the cease-fire agreement between the government and the RPF at N'sele. By signing the agreement with the RPF at N'sele, Habyarimana government recognised for the first time the RPF as a political partner. There was a clause stipulating that belligerents must reach a “political settlement.” This agreement remained also a dead letter because immediately after its signing, the RPF and the government accused each other of violating the cease-fire. In Kigali, the N'sele agreement was somehow seen as an act of surrender of the RPF. As soon as he returned to Kigali, Mr. Casimir Bizimungu, former Minister of Foreign Affairs, in an interview with Radio Rwanda, interpreted it in that sense. The President even declared he had increased the number of positions on the Rwanda-Uganda border where the Inkotanyi could lay down their arms and surrender to the Rwandan Armed Forces (*ngo bazaze bamanitse amaboko*).<sup>135</sup>

The RPF military pressure, the international community and the advent of Rwandan Prime Minister Dismas Nsengiyaremye's coalition government compelled the launch of serious peace negotiations. This process began with the meeting, for the first time, of the Rwandan Minister of Foreign Affairs, B.Ngulinzira with the RPF's P. Mazimpaka in Entebbe (May 24, 1992); followed by government and the RPF delegations meeting in Paris June 6 to 8, 1992 where they agreed to the formal negotiations. Mobutu was officially agreed as the mediator, but the President of Tanzania was designated as facilitator. Negotiations would focus on the fate of the two armies, the problem of power sharing, guarantees for fundamental freedoms and the broad-based government.

### ***Phase three: Arusha negotiation***

Arusha negotiations were to begin on 10<sup>th</sup> August 1992, and originally scheduled to be completed no later than 10<sup>th</sup> January 1993. Two main issues emerged from this phase. First, was the failure of the Arusha process to move beyond power-sharing discussions

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<sup>134</sup> Communiqué du 17 février 1991.

<sup>135</sup> Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *Rwanda : la Renaissance d'une Nation. Histoire du Front Patriotique Rwandais des Origines à 2003*, Editions of the National University of Rwanda, Huye, 2014, p.231.

between political elites, to a genuine negotiated agreement that provided lasting peace and reconciliation. The majority of the interested parties were never focused on engaging the underlying causes of conflict and national cleavages, but instead seeking a peace, which would suit their own agenda.<sup>136</sup> Second, was the inability of external actors to assist in the creation of these conditions during the process.

Initially, RPF and the Rwandan Coalition Government, agreed to a three-month ceasefire to end hostilities but on condition that a joint political military commission be established to serve as a complaints mechanism, and that each party retains the territory occupied (i.e., RPF's northern region and the rest of the territory respectively), separated by neutral corridor to be monitored by an Organization of African Union (OAU) led Neutral Military Observer Group (NMOG). This was later followed by a thirteen-month negotiation process to agree on the following core principles:

- i. Establishing of the rule of law on national unity, democracy, pluralism and respect for human rights;
- ii. Formation of national army consisting of government forces and RPF;
- iii. Establishment of power-sharing framework within the framework of a Broad-Based Transitional Government (BBTG).

The first principle was quickly agreed on. However, the latter two issues were to become the cornerstone of the Arusha accord; they were repeatedly postponed due to disagreements among the political elites and eventually did not happen.<sup>137</sup> The President's circle plan was to assert the merits of the negotiations, while criticising the manner in which the government delegation was conducting them.<sup>138</sup> The Rwandan government believed that power sharing had existed since the coalition agreement of 16<sup>th</sup> April 1992, which had allowed for opposition parties in Rwanda. The RPF could therefore be integrated into the existing framework, but the Arusha delegations had no

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<sup>136</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda recorded on 13-01-2016.

<sup>137</sup> For a detailed explanation and analysis of the Arusha process see, Jones, *The Arusha peace process*, pp. 131-156.

<sup>138</sup> Interview with Nsengimana Joseph PL- Member of Liberal Party.

right to discuss an distribution of power.<sup>139</sup> The RPF, however, insisted on a new framework, which restricted the President's power.

Rwandan political parties who were opposed to the MRND sought to be involved in the process.<sup>140</sup> Habyarimana refused, but did seek to engage those parties who were part of the coalition government.<sup>141</sup> He vocally opposed the removal of CND (*Conseil national de développement*) from discussions (which the RPF was pushing for) and in November began launching a severe criticism against Arusha.<sup>142</sup> President Habyarimana declared the protocols already signed as “rag papers” at an MRND rally held in Ruhengeri and accused Foreign Minister Ngulinzira of acting independently on behalf of his party, the MDR, rather than government. From then on the CDR and the MRND spoke the same language – they rejected the negotiations and mobilized their supporters to this end, insisting on the threats posed by these agreements to the interests of the ethnic majority. The CDR launched a slogan of “Hutu, be on your guard;”<sup>143</sup> whilst the MRND's was slogan was “Do not accept contempt,”<sup>144</sup> as they denounced “the betrayal by the political parties.”<sup>145</sup>

Extremists within the MRND and CDR were taking hold, and rallying supporters against potential power sharing and the reorganisation of the army. A statement by Léon Mugesera, the vice president of MRND sums the tension at the time:

“The opposition parties have plotted with the enemy to make the Byumba *préfecture* fall to the *Inyenzi* [cockroaches]. [...] They have plotted to

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<sup>139</sup> Communiqué du MRND, 20 octobre 1992

<sup>140</sup> Lettres du 13, 15, 17 octobre 1992 in Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *Rwanda : la Renaissance d'une Nation. Histoire du Front Patriotique Rwandais des Origines à 2003*, Editions of the National University of Rwanda, Huye, 2014.

<sup>141</sup> Communiqué du 28 octobre 1992, In Paul Rutayisire, Privat Rutazibwa & Augustin Gatera, *Rwanda : la Renaissance d'une Nation. Histoire du Front Patriotique Rwandais des Origines à 2003*, Editions of the National University of Rwanda, Huye, 2014.

<sup>142</sup> The CND or National Council for Development was the name of the Rwandan Parliament during Habyarimana regime and which acted as an advisory council rather than a space for policy or legislation making. See Twagilimana, Aimable, and Learthen Dorsey. *Historical Dictionary of Rwanda*. Lanham, Md: Scarecrow Press, 2007, pp. 39-40. All members of the cabinet were elected members of the CND Like the MRND, they were part of his ruling system that were wholly under his command. The main aim was to ensure reestablishment of state authority through a system of parallel control. For an in-depth discussion on this see, Guichaoua, André, and Don E. Webster. *From War to Genocide: Criminal Politics in Rwanda, 1990-1994*. , 2015, pp. 13-17.

<sup>143</sup> Hutu people, Watch out !”-Communiqué du 9 Novembre 1992.

<sup>144</sup> Kutemera kuvogerwa. Rejection of contempt.

<sup>145</sup> “ubugambanyi bw’amashyaka “betrayal by political parties (Meeting de Kabaya, 21 November 1992); Interview with Prof. Mbonimana G., Kigali, 2015.

undermine our armed forces. [...] The law is quite clear on this point: 'Any person who is guilty of acts aiming at sapping the moral of the armed forces will be condemned to death.' What are we waiting for? [...] And what about those accomplices (ibiyitso) here who are sending children to the RPF? Why are we waiting to get rid of these families? [...] We have to take responsibility into our own hands and wipe out these hoodlums."<sup>146</sup>

The negotiations eventually resumed, but with the MRND still in fear of being marginalised in decision-making processes if the proposed power-sharing arrangement materialised (which included a 2/3 majority being required in the Council of Ministers). The MRND wanted a "balanced" peace agreement and institutions marked by power sharing, "not just transfer of power to any party or group of parties."<sup>147</sup> It accepted the principle of appointment of members of parliament by the parties. The 16 parties would be represented as follows: small parties - 12 seats, ARD - 29 seats, FDC and the RPF together - 29 seats. The Speaker of Parliament would go to the MRND, the Deputy-Speaker to the MDR, and the Secretariat to the CDR. Supreme Court Chair would go to PSD, the Courts to MRND, the Cassation Court to RPF, the Constitutional Court to PECO, a small party, the State Council to MDR and the Court of Auditors to PL. The transition was to continue until the of that Parliamentary period, which was December 1993.

The RPF and the FDC saw in the negotiations the opportunity to break the institutional imbalance after the failure of the war. Yet the consequences of the negotiations were the very causes of their blockage: questioning the Constitution, dissolution of the CND, opting for a parliamentary system, the transfer of powers from the President to the Cabinet. The MRND considered that it had made many concessions: accepting the revision of the constitution, the transfer of the essential powers of the President to the Prime Minister and Cabinet and the establishment of a parliamentary system. But it argued that real peace could only come after the establishment of institutions made legitimate by elections.<sup>148</sup>

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<sup>146</sup> Prunier. *Op. Cit.*, pp. 171-172.

<sup>147</sup> Contribution du parti MRND à l'aboutissement des négociations de paix à Arusha et au succès de la période de transition au Rwanda, Kigali, le 21 décembre 1992.

<sup>148</sup> Contribution, *Op. Cit.*

RPF progress in the talks was largely determined by their battlefield victories but the concessions realised did not materialise. When military victories were won by RPF, the government was forced to negotiate.<sup>149</sup> As these continued the Rwandan government was forced to agree these fairly conciliatory terms. But that did not mean the agreements would be implemented. The year 1992 ended with disappointment as the peace agreement that many Rwandans expected did not appear. Tension mounted. Kigali was paralyzed at New Year's Eve. In the prefectures of Gisenyi and Kibuye, MRND and CDR youths attacked the Bagogwe, especially in Rutsiro. In Ruhengeri, they set up roadblocks. On the eve of the crisis in February 1993, the CDR, in its meetings and documents, put forward requests to review the agreements signed on 30<sup>th</sup> October 1992 and 9<sup>th</sup> January 1993.<sup>150</sup> In March 1993 the party (CDR) began defying the President by issuing a communique which accused him of ceasing to care about the Rwandan nation.<sup>151</sup>

The crisis of human rights experienced in the country for sometime was confirmed by a survey conducted by an International Commission.<sup>152</sup> This commission was invited by the local human rights associations to investigate the violations of human rights in Rwanda. It was composed of 10 members, with Alison Des Forges coordinating the activities. MRND was opposed to the arrival of the mission, but the Cabinet approved it. The Commission arrived in the country on 7 January 1993. They visited 5 out of the 11 Prefectures (Rural Kigali, Kigali City, Gisenyi, Ruhengeri and Byumba) in January 1993 to investigate allegations of human rights abuses. They found that there were systematic massacres of the Tutsi and of the Hutu opposed to the regime. Concerning the Tutsi, the International Commission concluded that there was deliberate and organised policy by the Rwandan government to exterminate one ethnic group, the Tutsi ethnic group.<sup>153</sup>

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<sup>149</sup> Interview with Protai Musoni, 2016.

<sup>150</sup> Interview with Bakunduseruye, Nyabihu, 2015 and Bizimana Jean Bapiste, 2015.

<sup>151</sup> Melvern, Linda. *Conspiracy to Murder: The Rwandan Genocide*. London: Verso, 2004, pp. 51-52. pp.

<sup>152</sup> Commission Internationale d'enquête sur les violations des Droits de l'Homme commises au Rwanda depuis le 1<sup>er</sup> octobre 1990. The commission comprised the following members : Human Right Watch (New York), Fédération Internationale des Ligues des Droits de l'Homme (Paris), Centre International des Droits de la Personne et du Développement Démocratique (Montréal), Union Interafricaine des Droits de l'Homme et des Peuples (Ouagadougou).

<sup>153</sup> *Rapport De La Commission Internationale D'enquête Sur Les Violations Des Droits De L'homme Au Rwanda Depuis Le 1er Octobre 1990: 7-21 Janvier 1993 : Rapport Final*. Paris: Fédération internationale des droits de l'homme-FIDH, 1993, pp. 90..

According to Jean Carbonare, a member of the same commission, France's support for the military power organizing these crimes meant they shared the responsibility.<sup>154</sup> The Commission accused the FAR of being involved in violations of human rights, making arbitrary arrests, and performing summary executions. The Commission also suspected the RPF to be responsible "for attacks on civilian targets such as hospitals, schools and camps for displaced persons". The commission accused them of kidnapping civilians, destroying civilian homes in the area, deporting civilians to Uganda and enlisting children (13 years) as RPF soldiers. In this context, negotiations resumed on 29<sup>th</sup> January 1993 but were immediately blocked again. The RPF requested the increasing massacres be stopped and a guarantee that they would never be resumed, and appropriate punishments be applied to those involved. The MRND and the CDR ignored these requests, and the war resumed on 8<sup>th</sup> February 1993.<sup>155</sup>

The Arusha Accord attempted to broadly recognise issues of systematic exclusion of the Tutsi community at a national level. But it was less clear on modalities of how to implement divisive issues such as how to share power within the transitional government - mainly presidential powers - as well as how to integrate the government and rebel forces into the national army<sup>156</sup> Even more importantly, the Rwanda government, regional and international actors in the Arusha process paid less attention to other on-going forms of exclusion at societal level, and systematic forms of violence that had begun to emerge during the civil war.<sup>157</sup>

Two things to note with external intervention, especially the OAU mechanism, was the classical peacekeeping dilemma posed by paucity of resources to fund interventions as well as idiosyncrasies of non-interference, respect for sovereignty and territorial integrity of states. Like many other post-cold war conflicts although there was willingness among OAU member states to deploy peacekeeping forces - in Rwanda it

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<sup>154</sup> Ibid., p.52.

<sup>155</sup> Interview with Mugesera Antoine, Kigali, 2015.

<sup>156</sup> See Jones, *Arusha peace process*, pp. 141 – 142.

<sup>157</sup> Anacleiti, Odhiambo. "The Regional Response to the Rwandan Emergency". *Journal of Refugee Studies*. 9 (3): 1996. 303-311. Widespread atrocities were perpetrated by both the RPF and FAR. For a summary of this offensive see Prunier. *Op.Cit.*, pp. 173-191.



agreed to deploy NMOG to monitor the ceasefire - most states were non-committal to funding of the force and instead OAU had to rely on western states for funds.<sup>158</sup>

Secondly, while focus was directed to resolution of the conflict through negotiations and mediation, the Arusha negotiations - now colloquially termed as a 'stillbirth' - with hindsight was a futile initiative.<sup>159</sup> Of particular importance in this regard, was that by the time preventive diplomatic and negotiation missions were starting, the RPF had already gained the upper hand from the battlefield victories against the FAR controlled territories. Also, the relative failure of regional peace processes to mitigate the conflict was somewhat inevitable due to lack of neutrality. While diplomacy and mediation efforts were crucial in the conflict management process, restricting the process to this option when the violence had escalated to a critical level had severe consequences, among them the capacity of peacekeepers to use force in situations of extreme hostilities.<sup>160</sup> Impartiality of regional actors shifted the role to international actors - whose interest and political will to intervene in Rwanda at the time was exceedingly marginal.<sup>161</sup> The latter came to bedevil the implementation phase.

#### ***Phase four: Manoeuvres to block implementation of Arusha Accords***

The Arusha Accords were signed on 4<sup>th</sup> August 1993 in the presence of the presidents of countries in the sub-region. CDR and MDR-PARMEHUTU did not send representatives to Arusha. The displaced persons, Civil Society and the majority of registered political parties greeted the signing warmly.<sup>162</sup> The latter signed a code of ethics, to the exception of the MRND, CDR and MDR-PARMEHUTU, which had been opposed to negotiations since the beginning. The agreement was, for many people, a factor of national reconciliation and a reason for hope. 'A memorable day, a day to say goodbye to out dated ideas, a day of pride for Rwandans who will now live in unity and peace,'

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<sup>158</sup> Tekle, *The OAU: Conflict Prevention Management and Resolution*, pp. 111-130.

<sup>159</sup> Jones, Bruce. "Civil War, the Peace Process and Genocide in Rwanda." In Ali, Taisier Mohamed Ahmed, and Robert O. Matthews, eds. *Civil wars in Africa: roots and resolution*. Montreal: McGill-Queen's University Press, 2007.

<sup>160</sup> Many observers have suggested that delays in deploying UNAMIR See, See, *Report of the independent inquiry into the actions of the United Nations during the 1994 genocide in Rwanda*: New York: United Nations, 1999. pp. 43-44.

<sup>161</sup> Daniela Krosiak has noted that France despite their proximate connection to Rwanda elites especially those in the government, politically, they were 'silent' and inactive to clear structures of violence perpetuated by elites before and during the Arusha negotiation processes. See, Krosiak, Daniela. *The role of France in the Rwandan genocide*. London: Hurst, 2007, pp. 54-161. Furthermore, a report of inquiry set to investigate UN intervention in Rwanda concluded that lack of political will amongst member states of the UN to contribute personnel and resources into UNAMIR contributed to its failure of preventing the genocide. See, *Report of the independent inquiry into the actions of the United Nations during the 1994 genocide in Rwanda*: 1999.

<sup>162</sup> Interview with Sayinzoga, Kigali, 2015.

said an editorial of Radio Rwanda.<sup>163</sup> The deadline for the establishment of transitional institutions was 37 days after signing.

This deadline was not observed for several reasons. By 10 September 1993, the country had entered an institutional vacuum. The forces opposed to the agreements took advantage of the situation and made the agreements ineffective. The first problem was created by the delay of the UN forces whose arrival was scheduled for 31<sup>st</sup> October 1993. In September, General Dallaire said in a report that conditions were ripe for the arrival of peacekeepers. On 5<sup>th</sup> October 1993 the UN Security Council unanimously approved Resolution 872 on sending a 2,500 strong peacekeeping force (UNAMIR).

The second pretext for the President and the political parties, which supported him to block the institutions, was based on dissension and disruption of opposition parties to participate in government. Since October 1993, the MRND and the CDR had provoked a series of violent activities and blockages: massacres, assassinations (for example the assassination of F. Gatabazi, 21<sup>st</sup> February 1994), interference in the problems of Burundi, manipulation of divisions in some political parties, unauthorized demonstrations to prevent the swearing-in ceremony of ministers.<sup>164</sup> The murder of F. Gatabazi was followed by the murder of Bucyana, Vice-President of Interahamwe.<sup>165</sup> Insecurity was widespread by now, especially in the capital city. Whenever decisions regarding the establishment of the institutions were to be taken, violence and terrorism would gain in intensity with the MRND *Interahamwe* and the CDR *Impuzamugambi*.<sup>166</sup>

These manoeuvres were meant to sabotage the Arusha Accords by blocking the establishment of the transitional government and the TNA.<sup>167</sup> The Secretary General of MRND, M. Ndirumapfse, voiced the position of his party when he accused the four parties (MDR, PL, PSD and PDC) of planning to bring in the RPF and excluding other parties.<sup>168</sup> The Prime Minister and the representative of the Secretary General of the UN

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<sup>163</sup>Umunsi utazibagirana, umunsi wo gusezerera burundu ibitekerezo bishaje, ni umunsi w'ishema ry'abanyarwanda bagiyeye kubana mu bumwe n'amahoro » (3 août 1993). / « A memorable day, a day to eradicate outdated thinking for ever, a day of pride for the Rwandan people ready to live together peacefully as one. (3<sup>rd</sup> August 1993).

<sup>164</sup> FPR, Rwanda : les raisons de l'impasse politique actuelle, avril 1994.

<sup>165</sup> Interview with Mbonimana, Kigali, 2015.

<sup>166</sup> ICTR, Des forges as expert in the case of Military I and II.

<sup>167</sup> Interview with Mbonimana, Kigali, 2015.

<sup>168</sup> Des, Forges A. L. "leave None to Tell the Story": Genocide in Rwanda. New York: Human Rights Watch, 1999, p.80.

repeatedly called for the swearing-in ceremony for the transitional government and MPs.<sup>169</sup> The President was the only person to be sworn in on January 5, 1994. Many meetings were convened either by the UN Representative or the Transition Prime Minister to ease the situation, but they all failed. President Habyarimana also convened some, though he was not entitled. Embassies, including the embassies of Germany and the United States of America, also organized meetings to help solve the impasse.<sup>170</sup> While all observers were concerned about the political deadlock, Habyarimana said he was optimistic and spoke of imminent establishment of the transitional institutions. W. Claes, the Belgian Minister of Foreign Affairs, said that the international community and Belgium would not accept further delay in the implementation of the Arusha Accords.<sup>171</sup> The Belgian Minister of Defense, L. Delcroix, said that Belgium could not wait indefinitely for the establishment of the transitional institutions.<sup>172</sup> UN Secretary General Boutros Boutros Ghali also warned the Rwandan factions: if the agreements were not enforced, withdrawal of the UNAMIR would be considered. It should also be noted that the RPF warned President Habyarimana, his party the MRND and CDR against interference in other parties and setting obstacles to the establishment of institutions.<sup>173</sup>

### ***Phase five: Implementation of Arusha accord***

This phase involved attempts to implement the two main protocols of the Arusha peace accord. They included: the resettlement of displaced persons, establishing the BBTG; formation of national army consisting of FAR and RPF. A UN-led peacekeeping force United Nation Assistance Mission in Rwanda (UNAMIR) was deployed, though delayed, to enforce the accord.<sup>174</sup> While the assassination of Burundi's President Melchior Ndadaye by Tutsi military extremists and ensuing violence and killings against Hutu's in Burundi is said to have triggered and resonated a similar impetus for Hutu extremist forces in Rwanda, some evidence suggests the contrary. On one hand some observers suggest inherent flaws where opportunities to contain the violence were missed after

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<sup>169</sup> *Ibid.*, p.133.

<sup>170</sup> *Ibid.*

<sup>171</sup> *Ibid.*, p.124.

<sup>172</sup> Grünfeld, Fred, and Anke Huijboom. *The Failure to Prevent Genocide in Rwanda: The Role of Bystanders*. Leiden: Martinus Nijhoff, 2007, p.119.

<sup>173</sup> See, Jones, *The Arusha peace process*, *Op.Cit.*, pp. 139-140..

<sup>174</sup> Although the UNSC approved deployment of UNAMIR on 5 October 1993, the peacekeeping forces did not arrive in Rwanda until 1 November. This was four months after signing of the Accord.

failure of actors in the Arusha process to address the role of hard-line forces both in the Rwanda government and RPF in the process.<sup>175</sup>

### ***Resettlement of displaced persons***

A meeting of experts was scheduled to address the issue of security, the administration of the area and the return of displaced persons. The government delegation led by Colonel Nsengiyumva and the RPF delegation led by T. Rutaremara met at Nkumba (Ruhengeri) on 4<sup>th</sup> May 1993 to address all of these problems.<sup>176</sup> But, due to a request of the RPF, it was postponed, due to lack of security. The real negotiations on the resettlement of displaced persons took place in Kinyihira from 10<sup>th</sup> May 1993, under the chairmanship of GOMN, with the presence of observers (some ambassadors, representatives of UN agencies and countries in the sub-region).<sup>177</sup> The negotiations were very difficult on sensitive points like administration and security. Under the Kinyihira Accords signed on 30<sup>th</sup> May 1993, the safety zone was to be entrusted to GOMN. A government representative chaired this Commission. The Vice-Chair, and the Secretary General both came from RPF. A few days after the Kinyihira Accords, 80% of the displaced population of the Prefecture of Byumba had returned to their homes and property. In accordance with the Dar-es-Salaam Accords, negotiations resumed on March 1993 under the chairmanship of Tanzanian Prime Minister John Malecela. On the agenda several issues including commitment of the RPF and government commitment to a negotiated settlement within the Arusha Peace Process and withdraw of foreign troops and their replacement by a neutral force organised under the auspices of the OAU.<sup>178</sup>

### ***Disarmament and integration of armed forces***

The very sensitive point of the number of RPF and FAR soldiers remained pending. For the RPF, the Rwandan government army had to be completely dismantled because it had failed in its mission to defend the population and had been involved in violations of human rights. Because of this, the RPF proposed for a start the proportions of 27/73 (in

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<sup>175</sup> Literature on this is wide but for detailed analysis see, Storey, Andy.. "Structural violence and the struggle for state power in Rwanda: what Arusha got wrong". *African Journal on Conflict Resolution*. 12 (3): 2012, pp. 7-32; Jones, *Civil War, the Peace Process and Genocide in Rwanda*. See also, Khadiagala, Gilbert M. "Implementing the Arusha Peace Agreement on Rwanda." In Stedman, Stephen John, Donald S. Rothchild, and Elizabeth M. Cousens, eds. *Ending civil wars: the implementation of peace agreements*. Boulder, Colo: Lynne Rienner, 2002, pp. 463-498.

<sup>176</sup> Kabwete Mulinda, C., Rwanda during the transitional period, July 1994-September 2003, in Byanafashe, D., & Rutayisire, P., *Op.Cit.*, 2012, pp.651.

<sup>177</sup> Rutayisire, P., *Op.Cit.*, p. 306.

<sup>178</sup> Tekle, *The OAU: Conflict Prevention Management and Resolution*, p.120.

favor of RPF).<sup>179</sup> The Government referred to the number of members of the RPF in parliament and government, and proposed 20/80 (in favour of FAR). After much discussion the facilitator proposed 35 to 40% for the RPF and 60 to 65% for the government with a favourable component for the RPF at the level of officers.<sup>180</sup> The international community and Tanzania put pressure on the belligerents to reach a compromise as soon as possible. They evoked the potentially serious economic problems in the event the war was continued and the heavy burden of the displaced.<sup>181</sup> Finally, the agreement on the merger of the armies was reached in June 1993: 50% for RPF in command positions, 40% for the troops. The agreement on the national army was considered a “disaster” by CDR. According to them there were no objective criteria for representation in the new army; criteria were fabricated. The technical criteria for recruitment and demobilization were not clearly defined, while the principle of parallelism in command and joint command totally destroyed the power of the chief. The two armies had been inserted one into another, without any real chief.<sup>182</sup>

### ***Refugees***

The issue of refugees was very much assessed by the Arusha negotiators. The Protocol on refugees and displaced persons (Dar-es-Salaam Declaration on Rwandese Refugees Problem) was signed on 19<sup>th</sup> February 1991 and the return of refugees expected after 9 months. With this act, a phase in the liberation struggle by RPF had been achieved. In these discussions, RPF insisted that the refugees themselves delegate their own representatives.<sup>183</sup> After the Protocol on Refugees was signed, the first movement of returning refugees took place in 1993: for some because they wanted to return home, for others because their lives were threatened in their host countries (Burundi and Zaire). About 10,000 people settled in Muvumba Commune under RPF control. About them, the Rwandan government spoke of “the infiltration of demobilized elements from the Ugandan army” (Minister of Defense). RPF denied this: “RPF considers that it has no right to oppose the initiative from any Rwandan to return home, nor the duty to refuse

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<sup>179</sup> Interview with Mugesera, Kigali, 2015. Antoine Mugesera was a member of the RPF joined the front in Uganda and returned to Rwanda with the RPF.

<sup>180</sup> Rutayisire, *Op.Cit.*, p. 307.

<sup>181</sup> Rutayisire, *Op. Cit.*, p.308.

<sup>182</sup> J. B. Barayagwiza, 1993, p.3.

<sup>183</sup> Interview with Mugesera, Kigali, 2015. Antoine Mugesera was a member of the RPF joined the front in Uganda and returned to Rwanda with the RPF.

him/her assistance.”<sup>184</sup> The Rwandan government did not recognize them. For example, it would not assist Rwandan refugees grouped in Muyira and Ntyazo Communes who had fled the massacres caused by the death of Ndadaye.<sup>185</sup> The government ignored them under the pretext that ‘the repatriation program will be implemented by GTBE’. Humanitarian agencies also hesitated before giving them assistance.

It is in the confusion surrounding implementation of the Accord that resulted in a tense political climate, marked by insecurity and vacuum of power that the extremists finalized the preparation of the genocide and massacres.<sup>186</sup> It was necessary to exterminate all the natural or ideological allies of the RPF to eliminate the latter from the political scene in the times of elections.<sup>187</sup> Furthermore, the violent war and genocide occurred because those in power did not manage to resolve the problem of ethnic differences and did not assure Rwandans of social cohesion. Those in the post-colonial government got there through exclusion. Moreover, despite having a large presence of refugees who had fled in the neighbouring countries, those in power did not attempt to bring them back and instead labelled them as enemies who were a threat waiting to attack the state and outsiders who needed to be pushed out. Having not prioritized the question of politicized identities as part of the Arusha peace agenda, the political settlement and peace agreements remained very fragile throughout the process. Thus the early 1993s period that eventually ended Habyarimana’s rule was characterized by conversations to mobilize around hate, and fear of the other (the Tutsi, the foreign) that brought elites and ordinary Hutus together in a single act of the Genocide. Of course it is important to note that this was with the exception of the minority but notable Hutus who opposed the genocide ideology and even protected the Tutsis who would eventually form a new post-genocide identity of ‘survivors’.

The failed attempts at a settlement in the early 1990s invariably culminated in the genocide. It was a settlement that focused largely on the elite and key protagonists and their interests. The conversation on identity and the resulting contestations had brought the Rwandan state to the brink of collapse. The immediate settlement was

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<sup>184</sup> See Rutayisire, *Op. Cit.*, p.310.

<sup>185</sup> About 120 people according to Rapport de l’AVP, 19 September 1993

<sup>186</sup> Interview with Sayinzoga, Coordinator of Rwanda Demobilization and reintegration commission (RDRP), Kigali, 2015.

<sup>187</sup> Interview with UZARIBARA Denys, Rubavu, 2015.

achieved through RUF victory on the battlefield. It now remains to be seen, what conversations have been central to the rebuilding of stable peace and of the Rwanda state and the extent to which there has been a return to the conversations that predated genocide.

### **PART III: Post-settlement and Post-genocide Rwanda**

On 4<sup>th</sup> July 1994 RPF took control of Kigali and by 18<sup>th</sup> July had taken the entire country and chased the remnants of Rwanda's government into neighbouring Zaire. The genocide had killed an estimated 800,000 Tutsi and moderate Hutu's. Rwanda was a nation of ashes. The social fabric had been ripped apart. The unimaginable horror of the genocide (which had occurred village by village, with neighbour on neighbour, using mostly machetes) had been the perverted logical conclusion of the racialised winner-takes-all identity formation, which had appeared with the colonials and then fermented and grown in the independence era.

The Rwanda re-born from the carnage of genocide sees multiple sites of conversation, which seek to move identify on from the ethnic dichotomy, which had dominated the last hundred years. Below is a discussion of those conversable spaces, with explanations of how Rwandan state-building has dealt with the military, power-sharing, identity and gender issues, which has also shaped other eras, whilst dealing with the complexity of delivering justice in a post-genocide context. Whilst conversations are, indeed, taking place, they occur within prescribed sets of rules and remain carefully managed by the incumbent (RPF) elite.

There are elements of performance, choreography and management of certain events and spaces. Certain members of the community (local leaders) are for instance allowed to speak and criticise, but in a way that reinforces certain narratives or themes such as economic development and women's participation. Thorny and divisive issues that criticise the upper echelons of the Rwanda elites and RPF narratives are often avoided or confined to the non-public informal realm or spaces outside of Rwanda. These conversations include political prisoners, 'new identities', media freedoms, historical accounts on the trigger of the genocide, reprisal attacks of FDLR, and controversial killings of RPF dissidents.

#### ***Negotiation: creating a broad-based government***

The victorious RPF did not have a clear blue print of how they wanted to move forward after the genocide, or of the precise institutions and governance structures that needed



to be put in place. But its leaders did know that the process of post-genocide state building had to be participatory, and seen as participatory by a populace who had borne a huge brunt of the conflict. One key question guided RPF thinking during this time, which needed to be tackled in order for a blue print to materialise: What was the cause of dis-unity among the Rwandan people? In July 1994 during RPFs early discussions and negotiations with different groups in Rwanda, the RPF leadership felt they were the only ones with a clear ideology of how to solve Rwanda's problems. While the blue print was not there, the ideology of participatory national unity and desire to solve that core question set them apart from other actors.<sup>188</sup>

A national dialogue was initiated, convened at weekends, where leaders met with people and stakeholders to discuss this central question and issues of national unity; governance; security; and justice. This dialogue lasted for approximately one year.<sup>189</sup> Early on in the state building process, during its nation-wide tours the RPF was told that 'you people from Kigali' have been the same through different era's. Central government was seen as never delivering on promises made to the local population or involving them in national processes. RPF intended to change that perception.<sup>190</sup> The appearance of 'national dialogue' has remained a key feature of Rwanda's subsequent state building project, with citizen participation occurring within an RPF sanctioned environment remaining crucial components of such dialogues. As recalled by Senator Tito Rutaremara:

"we realized not everybody thought the same way as us, so after defeating the government the first thing was to bring the political parties together. For unity to happen, allocation needed to be done equally so we made a broad based government based on power sharing in the transitional government [...] within the transitional government making decisions was difficult. It required a longer process as we needed to bargain, tolerate difference of

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<sup>188</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, Rwanda parliament, recorded on 13/01/2016: 17:15 GMT.

<sup>189</sup> The weekend national dialogues were discussed during various other Field interviews also.

<sup>190</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 13/01/2016: 17:15 GMT.

opinion, we had to listen to others. But it was worth doing as the eventual decision you take is better.”<sup>191</sup>

To legitimise its victory and subsequent state building agenda, the RPF made use of three key documents which would guide the transitional arrangement and post-genocide Rwanda: the constitution of 10th June 1991, the RPF declaration of 17th July 1994 and the Arusha Peace Accord together with all its protocols. There was also the agreement between political parties made in November 1994 before the Transitional National Assembly was set up. The Arusha Peace Accord constituted a major source of inspiration for government action, as it integrated what RPF perceived as two essential principles in the management of the state: the establishment of the rule of law and the power-sharing arrangement. Modifications to the Arusha Peace Accord were made in the RPF declarations of 17<sup>th</sup> July 1994, which dealt with the challenging post-genocide context whilst ensuring RPF would be at the forefront of the burgeoning process. The Transitional Government which was set up remained inclusive and participatory, but with RPF remaining in a dominant position.

The post of President of the Republic and the ministerial posts that belonged to the parties involved in the killings were awarded to the RPF. The powers of the President of the Republic were re-enforced: he could approve or change the Government, replace the Prime Minister and decide on issues on which a consensus within the Cabinet could not be reached (this was unlike the Arusha Accords which sought to reduce the power of the President). The Executive Branch would include the Presidency and the Cabinet, which would decide by consensus, as per the Arusha Accords. If consensus could not be reached, approval by 2/3 of the members of the Cabinet was required to pass a decision (with the President deciding if 2/3 could not be reached). The position of Vice-President was created, which would be held by RPF. The armed forces were to be formed regardless of ethnicity, sex, religion, etc. The transition would last 5 years.<sup>192</sup>

Former combatants (ex-FAR) were, according to Protocol III of the Arusha Accord

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<sup>191</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, Rwanda parliament, recorded on 13/01/2016: 17:15 GMT.

<sup>192</sup> Summary of documentation from Rutayisire Paul, Byanafashe Deo and Hon. Mugesera Antoine consulted during the time of field work in Rwanda, Kigali, 3-20/5/2015. See also, Prunier, G., *Op.Cit.*, pp.334-335.

integrated into the new armed forces (RPA)<sup>193</sup> Any participation in the transitional arrangement was similarly dependent on not having a sectarian ideology of being a genocide perpetrator. On July 19 and November 25, 1994 respectively, the Government of National Unity and the Transitional Parliament were put in place. These were mainly made up of ministers and MPs from the RPF and seven other political parties (MDR, PSD, PL, PDC, UDPR, PSR, PDI) as well as the Civil Society. Key priorities were quickly identified for building Rwanda from the ashes of genocide: restoration of peace and security; organization of central and local administration; Restoration and consolidation of national unity; settlement of refugees and returning their property; Improvement of living conditions of the people and solving the social problems that resulted from war and genocide; Revival of the country's economy; redefinition of the foreign policy; Consolidation of democracy.<sup>194</sup>

### ***Military Integration***

The role of Rwanda's military in society remained crucial to the post-genocide state building process.<sup>195</sup> As per Rwanda's pre-colonial, colonial, and post-colonial periods, the army's role in both protecting its citizens from external threats and its domestic function in state-society relations helps determine the nature of societal development unfurling. These were both immediately obvious in the post-genocide context, with external security threats from the Congo and pressing need to integrate the military at home key priorities.

As soon as the new Government was inaugurated, security was the major concern. The ex-FAR and Interahamwe had re-organized themselves in the refugee camps in Burundi, Tanzania and especially Zaire. A flood of refugees into Eastern Congo had occurred as RPF approached Kigali (many fearing RPF reprisals) and giant refugee camps had been set up. These were infiltrated by militia and *Interahamwe* génocidaires who continued

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<sup>193</sup> The integration according to was effected through the traditional concept of *Igando* (which means, in Kinyarwanda, military encampment or assembly area. This process which is largely participatory involves: first, unburdening ex-combatants emotionally by allowing them to talk about the conflict; second, conducting joint military redeployment of former adversaries (for example joint deployment of RPA troops in DRC between 1998 - 2008); third is exploratory dialogue where participants analyse their conflict as a mutual problem rather than apportionment of blame; fourth is where integrated ex-combatants re-evaluate the process. See Rusagara, Frank K. "Military Integration as an Integral Part of Peacebuilding: The Rwandan Example". United Kingdom: University of Birmingham, 2011. 3-4. Internet. Accessed 8-August-2016.

<sup>194</sup> Summary of documentation from Rutayisire Paul, Byanafashe Deo and Hon. Mugesera Antoine. Included Revue Dialogue Archive, Kigali.

<sup>195</sup> For an extensive debate on this see, Beswick, Danielle. "The role of the military in Rwanda: Current dynamics and future prospects." *Rwanda Fast Forward*. Palgrave Macmillan UK, 2012. 249-264.

to attack Rwanda. With the international community unwilling or unable to flush out these militia, RPF felt obliged to violently intervene in the refugee camps.<sup>196</sup> Senator Tito again recalls:

“The country invested in security. We asked the international community to separate the militias from the refugees in Congo, but they didn’t so we had to go there ourselves. After that the country was secure.”<sup>197</sup>

The continued chaos in Eastern-Congo eventually led to Rwanda’s (and Uganda’s) 1996 to 1997 invasion of the country in order to dissolve the refugee camps (which was achieved with impressive speed). The subsequent 1998 to 2003 invasion was due to the newly installed President Kabilla enacting undesired anti-Rwanda policies. These two ‘Congo Wars’ saw over 5 million dead until official withdrawal occurred in 2003. The FDLR, which *Interahamwe* remnants morphed into, have been a constant concern to Rwandan authorities and provoked continual interference in the now DRC.<sup>198</sup>

Domestically, the RPF needed to set up an army and police force that was seen as a protector of society. Inclusivity was again required. The principle of the formation of a national army was adopted - the Rwandan Patriotic Army (RPA) - in line with the Arusha Accords. The RPF restructured the High Command of the Army and the Gendarmerie, by integrating ex-FAR soldiers who were not involved in the genocide. By the end of 1997, 10,500 ex-FAR officers had been integrated into the RPA and by 2002 39,200 of ex-FAR and militia had been integrated.<sup>199</sup> During the reintegration ceremony of the returning servicemen into the RPA, the Vice-president and Minister of Defense stressed the fact that welcoming them into the new National Army did not exonerate those who might have committed crimes.<sup>200</sup>

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<sup>196</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 13/01/2016: 17:15 GMT.

<sup>197</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, Rwanda parliament, recorded on 13/01/2016: 17:15 GMT.

<sup>198</sup> Prunier, Gerard. *From Genocide to Continental War: The 'congolese' Conflict and the Crisis of Contemporary Africa*. London: C. Hurst, 2009.

<sup>199</sup> Rusagara, *Military Integration as an Integral Part of Peacebuilding*, p.4 .

<sup>200</sup> Interview with Sayinzoga, Coordinator of Rwanda Demobilization and reintegration commission (RDRP), Kigali, 2015.

### ***Organization of central and local administration***

The need to mobilize more Rwandans around the ideas of the RPF was a major concern for its leadership, especially after 1998. A 1997 report by the Commission for political education and mass mobilization (PMM) had emphasised the need for civic education, with the objective of “changing the mentality of Rwandans, and explaining to them their problems and the need to seek solutions together.”<sup>201</sup> The RPF was aware that its vision of society required fundamental change to the understanding, attitudes and conduct of the Rwandans. Once formed, the Government had to confront the administrative vacuum caused by war and the genocide. The pre-genocide framework was maintained, i.e. central government, provinces (*prefectures*), districts (*communes*), sectors and cells (at least in part due to the fact there was no time to reconsider whether a more appropriate administrative model was needed).<sup>202</sup> Senior state officials were recruited (fairly easily), and there was then a ‘call to the regions’ led by officials among RPF cadres. It was important that this mobilization of lower-level officials was not to be biased and seen to involve all Rwandans.<sup>203</sup> The contents of the mobilization messages had to focus on: politics, security, economy, social welfare. This sought to begin the process of building a ‘Rwandan’ identity that was beyond Hutu-Tutsi, which requires having and displaying a set of core values, and to give dignity to citizens by centralising their role in developing the country.<sup>204</sup>

These ostensibly inclusive dialogues around nation building and the need for a new Rwandan identity (devoid of the racialized ethnicity from previous eras), has remained a hallmark of post-genocide Rwanda, from the immediate aftermath of 1994 to the present day. Various spaces have been created by the post-genocide government for dialogue across all sectors of society for ordinary people, the elites and others to discuss the pressing issues as part of national conversations. Amongst many others, Presidential visits (accompanied by his cabinet) occur where the President Kagame tours the country listening to ordinary people’s concerns and aspiration. The Unity club is a forum that brings together the political elite to discuss and dine together regularly.

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<sup>201</sup> Kuzamura imyumvire y’abanyarwanda, kudasobanurira ibibazobyabo no gushakira hamwe uko babikemura » (PMM, Gukangura imbaga y’abanyarwanda, werurwe 1997).

<sup>202</sup> Interview with Uzaribara Denys, Rubavu, 2015.

<sup>203</sup> Interview with Protai Musoni, 2016.

<sup>204</sup> Interview with Prof. Ruzirabwoba Rwanyindo, 2016.

There are youth camps that are organized for secondary school graduates as well as for journalists, artists, and entrepreneurs to discuss and learn about Rwanda's history and patriotism. The Forum for Political Parties brings different political parties together to discuss legislation before it is presented to parliament. The annual National Dialogue brings together Rwandans from the Diaspora, ordinary Rwandans, representatives from all political parties, leaders, diplomats, and aid partners, convening them at parliament for an annual conversation on the status of the country. There are also camps for former FDLR rebels returning to Rwanda, to educate them on the new Rwanda and Rwandan national identity.

These spaces are carefully managed, however, to allow the dominant and desired state-building narratives to come to the fore. The Presidential tour, for example, sees an almost crafted way for citizens to engage. A chosen presenter will thank the President for delivering development or security, and give an example of some achievement they have enjoyed (inline with government push to promote entrepreneurship, women and youth achievements. Or, during National Dialogue forums individuals from within or outside parliament are allowed to ask questions using open phone lines, Twitter, Facebook. There are rarely questions that come especially from the social media that for example engages the issues of political leadership and other controversial emerging issues. Yet the questions of identity and refugees are discussed openly. Nevertheless, surveys indicate that citizens have high level of confidence in their leaders.<sup>205</sup>

### ***Settlement of refugees***

The settlement of refugees, like many features of the immediate post-genocide landscape, contained practical challenges, ideological aspirations, and unintended consequences regarding identity formation in Rwanda. There was a massive return of refugees from neighbouring countries, who had followed behind RPFs steady military progress throughout the war and now enjoyed national government blessing for their right to reside in Rwanda. The RPF sought policies and efforts to repatriate all refugees, with an ideological belief that no Rwandan should be forced to stay outside the country

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<sup>205</sup> Findings suggested that 95.2% of Rwandans (where 77.7% strongly agree and 17.5% agree) subscribe to the opinion that Rwanda's leaders always doing what is in the best interests of citizens. Republic of Rwanda. Rwanda Reconciliation Barometer. Kigali, Rwanda: National Unity and Reconciliation Commission, 2015, pp. 59-60.

against their will.<sup>206</sup> This posed an immediate and acute problem, as arrangements for their resettlement had not been made and were now going against the humanitarian and donor preferences. Returning refugees settled in properties and houses of those who had recently fled the country. The new government was very aware that illegal occupations were prevalent and problematic. Meanwhile anti-government propaganda amongst the feeling refugees led to a reluctance for them to return home; preventing genuine forgiveness and reconciliation from occurring and fuelling propaganda efforts claiming the new RPF government was hostile to Hutus.

The new Government developed an urgent program for constructing houses for returning refugees through a hire-purchase system by calling for external aid.<sup>207</sup> It also wanted to assign plots in the city to those who had the ability to build houses. The Ministry of the Interior appointed a committee to study the issue. In the meantime, while waiting for its conclusions, the RPF leadership decided that documents giving property back to their owners should not be issued by the Ministry normally in charge, but by the grassroots leaders. In 1997, many families had no home, no water and electricity. A special Committee within RPF in charge of assessing the issue of land ownership and land use proposed adopting the solution of grouped villages (*imidugudu*),<sup>208</sup> which was experimented in Kibungo Prefecture, even though it still had some imperfections.<sup>209</sup>

The refugee status of Rwandans forms an important part of their post-genocide identity. As part of pursuing justice, RPF efforts to classify the different refugees (or non-refugees) have created supposedly non-ethnic identities that are nonetheless (conscious or sub-consciously) associated with particular groups and experiences. Zorbas states that 'returnees' are Tutsi RPF; 'old refugees' are Tutsi's who left Rwanda pre-1990s; 'new refugees' are returning Hutu's who fled to Congo post-genocide; 'victims' are Tutsi; 'perpetrators' are Hutu.<sup>210</sup> Hintjens also discusses these categories as (1) survivors; (2) old caseload returnees; (3) new caseload returnees; (4) suspected genocidaires, and shows how the pursuit of justice and this labelling can exclude certain Rwandans - a

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<sup>206</sup> Interview with Musoni Protais, 2016.

<sup>207</sup> Inyandiko-Mvugoy'inama ya Biro politike, 4/9/1994.

<sup>208</sup> The idea of grouped villages emanates from the RPF program and is in the Arusha Peace Accords.

<sup>209</sup> Inama idasanzwe ya Biro politike, 9/7/1997.

<sup>210</sup> Zorbas, Eugenia. *Reconciliation in Post-Genocide Rwanda*. Saarbrücken: LAP Lambert Acad. Publ, 2011, p.46.

child of Hutu-Tutsi marriage, for example, whose parents were both killed but whose Uncle is pursued as a Killer.<sup>211</sup> There appears a degree of resentment that only Tutsi victims are remembered. And there is certainly degrees of animosity that Hutu's are never seen as victims within the justice-reconciliation discourse – either as victims of RPF atrocities, victims of the genocide killings, or suffering/death experienced in the refugee camps post-genocide.

### ***Gacaca***

Delivery of justice – for the victims of genocide and against the perpetrators - stood out as a key conversation in the post-genocide period. Acts of revenge, extra-judicial executions, illegal detentions and disappearances, had also almost inevitably occurred after the cessation of hostilities. Gacaca courts have become one of the most well known features of post-genocide Rwanda, often celebrated as an Africa-born transitional justice mechanism. They were born, however, from practical necessity as much as any desire to utilise traditional processes. Faced with rapidly over-crowding of prisons throughout the country, rather than propose a moratorium on the arrests of suspects the government at first attempted to enlarge the correctional establishments (of *Rilima*, *Ntsinda*, *Kimironko* and *Gikondo*).

To accelerate the processing of the cases, sorting commissions (commissions de triage) were created but were afterwards replaced by mobile groups (groups mobiles). The latter processed 23,418 cases, releasing 4,106 prisoners, but still did not fulfil to expectations of timely delivery of justice.<sup>212</sup> In September 1996, the Rwandan government promulgated a law on genocide to allow the prosecution of those who were presumed guilty.<sup>213</sup> The law were provided four categories of responsibilities,<sup>214</sup> with advantages granted to those who would confess their guilt, but again did not produce the desired effects. This led to the creation of Gacaca courts in June 2002. Rutaremara clarifies why Gacaca courts were created:

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<sup>211</sup> Hintjens, Helen. "Post-genocide Identity Politics in Rwanda." *Ethnicities*. 8.1. 2008.,pp. 28-29..

<sup>212</sup> National Service of Gacaca Courts, Evaluation of the Achievements of Gacaca Courts, Kigali, 2012.

<sup>213</sup> Organic Law 8/96 of 30 August 1996, on the Organisation of prosecution of offences constituting the offence of genocide or crimes against humanity committed since 1 October 1990. Reprinted in *Rwanda Reconciliation* (1996) 15-22. The draft-law was preceded by an international seminar (1995) which paved the way and proposed orientations which served as inspiration to the legislator.

<sup>214</sup> In brief summary Category 1 are planners and those in authority; Category 2 are perpetrators, conspirators and accomplices in killings; Category 3 are those guilty of serious assault; Category 4 are those who committed offences against property



“The state chose Gacaca for two main reasons. So many perpetrators had committed crimes hence punishing them would have been politically and socially unmanageable due to their numbers. We also realized many perpetrators had killed before in the 1960s, 70s, and before the genocide. Choosing the European model would have taken a long time. Hence they settled on Gacaca. The philosophy of Gacaca is not to punish but rather to integrate the person into society. The Gacaca idea first emerged in 1995, but it took 5 years before it was implemented because people had been corrupted by the idea of western justice having to be followed.”<sup>215</sup>

The objectives of the *Gacaca* Courts were as follows: identify the truth about what happened during the genocide; speed up genocide trials; fight against the culture of impunity; contribute to national unity and the reconciliation process; and demonstrate the capacity of the Rwandan people to resolve their own problems.<sup>216</sup> By the beginning of 2003 there were concerns around the following issues: the declining interest of the population; some judges elected to try suspects were also accused of committing genocide; there were cases where, for fear of being denounced and arrested, some people preferred to flee the country; some judges were illiterate; many meetings were boycotted for unidentified reasons; security and safety of witnesses or accused people who feared for their life; tendency of the court to systematically exonerate presumed suspects especially by families of the detained; some judges were demanding salary; there were families whose members were killed by RPF soldiers and the former wished that the latter be judged; and some complementary legal tools on the law establishing *Gacaca* courts had not yet been passed.<sup>217</sup>

A Presidential decree of January 2003 developed the Gacaca process further. It required that in all qualified instances to free people who had admitted their crimes albeit, under some conditions. Other people who were to be set free included: those above 70 years, the sick and the minors at the time of committing crimes. More than 40,000 people

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<sup>215</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 13/01/2016: 17:15 GMT.

<sup>216</sup> Organic Law n° 40/2000 of 26/01/2001, governing the creation of Gacaca Courts and organizing the prosecution of Genocide crimes and other crimes against humanity committed between the 1<sup>st</sup> October 1990 and the 31<sup>st</sup> December 1994, published in the Official Gazette of the Republic of Rwanda, 15<sup>th</sup> March 2001, pp.66-98.

<sup>217</sup> African Rights, *Gacaca justice, a shared responsibility*, November 2002.

would be handled under this clause, and according to the Ministry of Justice 21,410 people were set free in February 2003.

*Gacaca* courts were central in identifying the planners and organizers of the genocide, and were effective in identifying those involved in distribution of weapons as well as those who gave orders to set up roadblocks. Much of this information was already known and available to authorities, however, and so the *Gacaca* process of encouraging voluntary confessions is perhaps the more important feature. As of 2012, the total number of cases tried by *Gacaca* Courts are 1,958,634 including:

Category	Number of Cases	Convicted				Acquitted	Percentage
		All	Percentage	Guilty plea and Confession	Percentage		
<b>Cat 1</b>	60,552	53,426	88.3 %	22,137	41.4 %	7,126	11.7 %
<b>Cat2</b>	577,528	361,590	62.6 %	108,821	30 %	215,938	37.4 %
<b>Cat 3</b>	1,320,554	1,266,632	96 %	94,054	7.4%	54,002	4%
<b>Total</b>	1,958,634	1,681,648	86%	225,012	14 %	277,066	14.1%

**Source:** National Service of *Gacaca* Courts, Evaluation of the Achievements of *Gacaca* Courts, Kigali, 2012.

Although the *Gacaca* courts have dealt with some of the post-genocide justice challenges faced by Rwanda, their key role has been the local ownership and inclusiveness of the process. It sought the opportunity to bring perpetrators and victims together in building the post-genocide state.<sup>218</sup> Nonetheless, despite apparent quantitative and qualitative progress, the *Gacaca* Courts have encountered major challenges:

<sup>218</sup> Focus Group discussion on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, IRDP, 14/01/2016: 09:15 GMT.

- 1) 46,000 Inyangamugayo judges representing 27,1%, have been accused of genocide and dismissed from Gacaca Courts;
- 2) Leaders, especially those in the local government who were accused of participating in genocide, constituted a serious obstacle to the smooth running of Gacaca Courts;
- 3) Conspiracy of providing information on genocide (CECEKA) has occurred, especially in regions where none survived or with a small number of survivors;
- 4) Destruction of Gacaca Courts proceedings materials, especially activities and data collection notebooks, has occurred;
- 5) Violence of many kind against genocide Survivors, witnesses and Gacaca Courts Inyangamugayo Judges, which has sometimes resulted in murder;
- 6) Strong trauma manifested during Gacaca Courts proceedings;
- 7) Confessing other's crimes with the intention of covering the involvement of intellectuals and wealthy people;
- 8) Relocating of some citizens who participated in genocide to places where they are not known;
- 9) Fleeing of some citizens pretending that they are threatened by Gacaca while they running from their involvement in Genocide;
- 10) Corruption and favoritism in decision-making.

### ***Restoration of National Unity***

The restoration of national unity was ideally supposed to provide relief from sorrow and guilt, to pave the way for true reconciliation over time. According to the Verdeja definition,<sup>219</sup> the reconciliation process involved in such a context relies on an interpersonal perspective in which access to the truth leads those guilty of the crimes to make genuine repentance and the victims to grant forgiveness. This is the only way that can eventually lead both groups to mutual healing from the trauma caused by the genocide. Rwandans generally give a *relational* aspect to reconciliation and understand it as the '*building of good relationships*', which involves the fact of '*asking for forgiveness*' and '*forgiving*.'<sup>220</sup> Gacaca was something of a Truth and Punishment forum providing

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<sup>219</sup> Verdeja, Ernesto. *Unchopping a Tree: Reconciliation in the Aftermath of Political Violence*. Philadelphia: Temple University Press, 2009, p. 3.

<sup>220</sup> NURC, Rwanda Reconciliation Barometer (2015), December 18, 2016, p. 40.

comfort and revenge, with genuine reconciliation only achievable over a longer, perhaps even generational, period once that necessary process had occurred.

Reconciliation is also attempted through particular projects which bring together victims and perpetrators, such as housing construction projects which one week sees both build a dwelling for a survivor together, and then next week build something for a perpetrator's family. The major instrument of achieving the policy of reconciliation and restoration of national unity was the National Unity and Reconciliation Commission (NURC), created in March 1999. The program of the NURC fitted with the agenda of the Transitional Government.<sup>221</sup> It established constant contact with the population who informed it on the causes of division and the calamities that had characterized the recent history of Rwanda. NURC sought to identify and analyse the failures of regimes, which denied and destroyed national unity and the consequences that followed. Lastly, it sought to present and explain a new political direction regarding national unity and reconciliation.<sup>222</sup>

The long trips conducted by the Commission across the country helped to explain the importance of justice to the population. The Commission helped the courts to engage the Rwandan people in dialogue on various issues of genocide. The Commission was also charged with the task of organizing solidarity camps (*Ingando*) for various categories of people and the public.<sup>223</sup> These included: the youth who were preparing to join higher institutions of learning, soldiers who were preparing to return to civilian life, former soldiers of the Rwandan Armed Forces and *Interahamwe* militia who wished to be reintegrated to the new national army and return to civilian life, officials in charge of local and national administrative posts, teachers, etc. The commission was charged with organizing periodic meetings between the Rwandan Diaspora and the Rwandese within the country. NURC also was finally tasked with organizing international consultancies, conferences and debates and to conduct research on various thematic areas.<sup>224</sup>

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<sup>221</sup> National Unity and Reconciliation Commission, reports 1999-2001, Kigali, 2001.

<sup>222</sup> Interview with Sibomana Jean Bosco, Huye, 2015.

<sup>223</sup> There are some changes regarding the issue of reconciliation: Iterero, Ingando NURC, reports 2002-2014.

<sup>224</sup> NURC, Rwanda Reconciliation Barometer (2015), December 18, 2016, p. 41.

The commission has an upper hand in the annual commemoration of the national mourning event. It oversees the search for and dignified burial of the remains of genocide victims. It inaugurates genocide sites and establishes contacts with survivors. The annual reports of the commission provide data on the current debate on the reconciliation between Hutu and Tutsi. To illustrate, the 2015 NURC Barometer stressed that the majority of Rwandans (83.4%) think that reconciliation in Rwanda is (or should be) *between genocide criminals/perpetrators and genocide survivors*. As the below figure shows, only 43.7% of Rwandans think that reconciliation is (or needs to be) between Rwandans and their history.

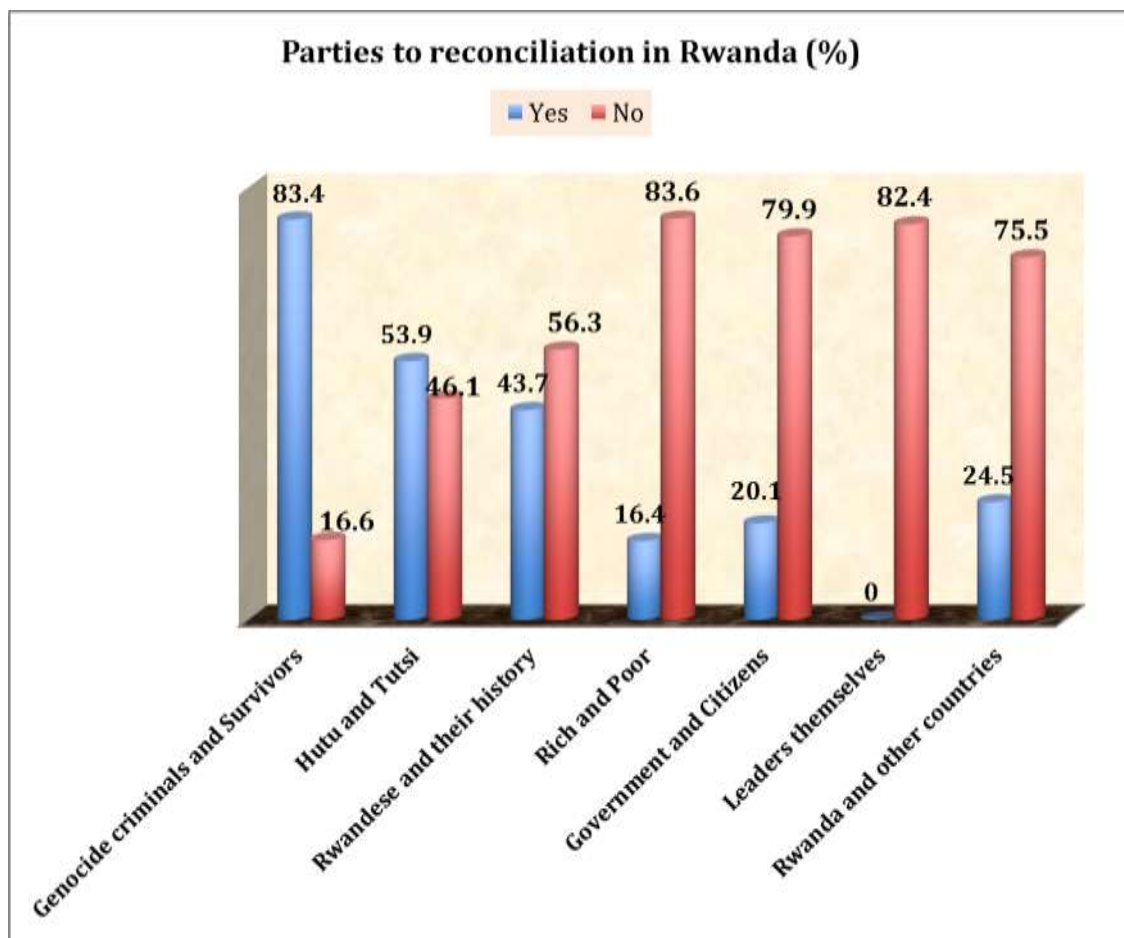


Figure 1 Parties to reconciliation in Rwanda<sup>225</sup>

NURC also establishes contact between various members of the Rwandan population and foreign partners.<sup>226</sup>

<sup>225</sup> NURC, Rwanda Reconciliation Barometer (2015), December 18, 2016, p. 41

<sup>226</sup> Interview with Bakunduseruye J. the head of the National Civic education institution in Nyabihu District, Nyabihu, 2015.

Many Rwandese were of the view that corruption was rampant especially in the Justice department.<sup>227</sup> Instances where corruption was noted included: corrupt magistrates who were corrupted by suspected criminals or their family members in order to favour them in their judgment; falsification of files by the judicial staff and prison wardens; deliberate disappearance of files by the judicial personnel leading the defendants of many suspects without files to be set free; granting prisoners permission to exit jail which were abused, especially those suspected of genocide crimes (prison staff gave permission to prisoners to work, enjoy family visits and get married); setting prisoners free as a result of political, administrative and military interventions; threatening some people with imprisonment charges of genocide by the magistrate and prison staff in order to extort money; irregularities in the sale of goods and property belonging to people who were absent, in prison or young survivors; illegal imprisonment declared on rich or affluent people.

### ***Gender***

RPF had considered the role of women in the movement since its inception as an armed refugee group in 1989/1990. Its leaders studied other liberation movements and determined that women had to be part of whatever nation-building project would eventually be undertaken in Rwanda. This decision was not always popular, and proved a particularly contentious issue when other people and groups were engaged following the RPF victory. Senator Tito recalls that, in fact, this was one of the most difficult issues for RPF to convince others on, at that time. RPF encouraged women to form associations and fight for their issues, and created political schools for women.<sup>228</sup> Since women and youth constituted the majority of Rwanda's population, the Transitional Government deemed it fit to include them in national programs.<sup>229</sup> The state encouraged women to get involved in decision-making instances, starting from the first electoral campaigns of 1999, 2001 and 2003. For example, during the 2001 elections organized by district and sector committees, almost 25% of the women were elected.<sup>230</sup>

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<sup>227</sup> Bertelsmann Stiftung, BTI 2016 — *Rwanda Country Report*. Gütersloh: Bertelsmann Stiftung, 2016.

<sup>228</sup> Interview with Senator Tito on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 13/01/2016: 17:15 GMT.

<sup>229</sup> Newbury, C., and Baldwin, H., "Aftermath: Women in Post-genocide Rwanda", Center for Development Information and Evaluation U.S. Agency for International Development Washington, Working Paper No. 303, July 2000, pp. 3-4..

<sup>230</sup> République Rwandaise, Service du Premier Ministre, Réalisations du Gouvernement d'Union Nationale, 19 Juillet 2000- 19 Juillet 2001, Kigali, Juillet 2001, p. 17.

The Rwandan Constitution of 2003 stipulates that women shall occupy at least 30% of the decision-making organs in the country. Following the 2003 Rwanda has had the highest percentage of women in its National Assembly in the world - 48.8% in the Chamber of Deputies; 30% in the Senate.<sup>231</sup> Women also occupied 37% in Executive organs and 41% in the Supreme Court.<sup>232</sup> Women occupied various leadership positions and intellectual responsibilities. Some old customs and stereotypes were overturned when women started constructing houses, doing hard and challenging tasks, etc. They also contributed significantly to the peace and reconciliation already discussed.<sup>233</sup>

Rwanda has received extremely positive acclaim for the gender dimension of the post-genocide era, with President Kagame receiving various accolades as a result. Genuine equality is yet to be achieved, however. Achievement in primary education, for example, is not matched in secondary and higher education. Employment distribution is also skewed in favour of men, and women's entrepreneurial skills still lacking.<sup>234</sup> Burnet suggests there is actually a paradox of more women being present but that they lack genuine power.<sup>235</sup> She argues that people at the grassroots never really understood the idea of Women's Councils in 1998 and the process was driven by elite women; and also that the women's movement has lost some momentum due to many of its leaders now becoming incorporated into state politics rather than leading civil society ventures.<sup>236</sup> Burnet is positive, however, that in the long term the presence of women will have an extremely positive effect. Burnet also praises Rwandan women for skilfully operating within whatever political system they have been faced with, recognising authoritarianism but making gains within it. This began under Habyarimana where Women's civil society groups did operate and effect some policies, and the same now occurs under Kagame.<sup>237</sup>

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<sup>231</sup> Inter-Parliamentary Union, "Women in Parliament", Economist, 1<sup>st</sup> April 2004; Inter-Parliamentary Union, Women Elected in 2003: the year in perspective, Geneva, January 2004. Kabwete Mulinda, C., Rwanda during the transitional period, July 1994-September 2003, in Byanafashe, D., & Rutayisire, P., op.cit., 2012, pp. 650-658.

<sup>232</sup> Powley, E., Rwanda: *The impact of Women Legislators on Policy Outcomes Affecting Children and Families*, UNICEF, December 2006, pp. 4-5.

<sup>233</sup> CNUR, Le rôle de la femme dans le processus de réconciliation et consolidation de la paix du Rwanda. Dix ans après le Génocide 1994-2004. Contributions, défis, perspectives d'avenir, Mars 2005, pp. 8-9, 17, 28-30.

<sup>234</sup> Kabwete Mulinda, C., Rwanda during the transitional period, July 1994-September 2003, in Byanafashe, D., & Rutayisire, P., *Op.Cit.*, pp. 664-669.

<sup>235</sup> Burnet, Jennie E. "Gender Balance and the Meanings of Women in Governance in Post-Genocide Rwanda." *African Affairs*. 107.428 (2008): 361-386.

<sup>236</sup> *Ibid.*, 23-25.

<sup>237</sup> *Ibid.*, 7

## *International community*

International actors had, of course, played a crucial role in the shaping of Rwandan identity, especially in the formation of the Hutu-Tutsi ethnic distinction that proved so problematic. Perceiving who were the rightful citizens of Rwanda and who was the 'foreign' invader clearly played a role in the genocide. Institutionally, Rwanda has adopted a unique model of representative government. It supposedly seeks to ensure no single party monopolises power. Measures such as no party ever having the Presidency and Speaker of Parliament position no matter how dominant their electoral support is, for example, is held up as illustrating this more broad-based approach.<sup>238</sup> Similarly, the fact that a party cannot hold more than 50% of the cabinet positions even if it has won elections by massive landslide is cited as one of the checks on abuse of power.

Whether the reality of power distribution in Rwanda conforms to these stated goals is certainly questioned by the international community. The decision that President Kagame will stay for a Third Term in 2016 (following a national referendum which voted in favour of changing the constitution to allow that to occur), was met with concern from the US and UK who have provided much donor aid to Rwanda following RPF's victory (although viewed differently by the EU. The majority of Kagame critics often highlight human rights issues such as restricted press freedoms and opposition politicians unfairly targeted as illustrating the board-based government is perhaps not all it seems.<sup>239</sup> The Proportional Representation system in use in Rwanda (to elect a certain number of parliamentarians) is seen by some as providing the illusion of democracy but is in fact used as it is easier to control and fake, allowing a token amount of opposition candidates in whilst maintaining RPF control.<sup>240</sup>

With the state building project now seeking to dispel any notion of Hutu or Tutsi being seen as 'the other', Rwandan identity is now being framed somewhat as requiring a healthy mistrust of 'foreigners' instead. Western interests and agendas are viewed suspiciously. The international community has (rightly) been vilified for its lack of action in the genocide, and the RPF has quite skillfully played on Western shame to

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<sup>238</sup> Focus Group discussion on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, IRDP, 14/01/2016: 09:15 GMT.

<sup>239</sup> For a critical discourse on critics of Paul Kagame See Reese, R. "Paul Kagame: Machiavelli's Prince." *Whitehead Journal of Diplomacy and International Relations*. 15.1 (2014): 107-115.

<sup>240</sup> Stroh, Alexander. "Electoral Rules of the Authoritarian Game: Undemocratic Effects of Proportional Representation in Rwanda." *Journal of Eastern African Studies : Journal of the British Institute in Eastern Africa*. 4.1, 2010, pp. 11-12.



maintain donor support even when undertaking activities they are more critical of (such as the Congo Wars).<sup>241</sup> There is a strong feeling that Rwanda should have received compensation from international actors following the genocide, due to their disregard and inaction over the plight unfolding – these would be form of reparations, entirely different from the traditional (and tied) donor aid that has been forthcoming to some extent.<sup>242</sup> Kagame now often criticises external interference, or foreigners' lack of understanding of Rwanda. Rwandan post-genocide statebuilding sees an 'activist regime' promoting particular forms of knowledge about itself, and deliberately framing its context as something outsiders cannot understand.<sup>243</sup> Just as pre-colonial Rwanda used conquest of foreign lands partly as a means of uniting a populace around a shared sense of national identity, so now the protection of the Rwandan project against foreign interference is being utilized to create the new Rwandan identity. The state building project in Rwanda nonetheless continues to hold with all these issues at the centre of the internal conversation, which is prioritized over any external one.

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<sup>241</sup> Fisher, Jonathan, and David M. Anderson. "Authoritarianism and the Securitization of Development in Africa." *International Affairs*. 91.1 (2015): pp.148-149

<sup>242</sup> Focus Group discussion on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, IRDP, 14/01/2016: 09:15 GMT.

<sup>243</sup> Fisher, Jonathan. "Writing About Rwanda Since the Genocide: Knowledge, Power and "truth"." *Journal of Intervention and Statebuilding*. 9.1 (2015): p.135

## **Concluding Observations**

### ***What does Rwanda's state-building conversation in its evolutions tell us about prospects for sustainable peace?***

The conversable spaces have evolved from pre-colonial to contemporary times. Some of the issues at the core of the conversation are no longer central and some spaces have been transformed. But some issues have remained constant across the periods even if they have varied in content. And some conversable spaces have remained constant including, for example, education and schools, public administration and external spaces where refugees are located.

Conversations about peacebuilding in Rwanda have centred on various state-building efforts aimed towards restoration of peace and security after the genocide. They include: management of land; organization of central and local administration, restoration and consolidation of national identity and unity; settlement of refugees and returning their property especially land and rebuilding their homes; development and improvement of living conditions of the people and solving the social problems that resulted from war and genocide; revival of the country's economy; redefinition of the foreign policy; and consolidation of participatory democracy. Certain issues were given priority. These included power sharing, national dialogue, establishing a state and having a vision of where that should be.

There are spaces that the post-genocide government has created for conversations across all sectors of society for ordinary people, the elites and others to discuss the pressing issues as part of national conversations. For Rwanda, the issues of identity, political leadership, the refugees are discussed openly as long as they adhere to certain rules set by the custodians of the system. Conversations are happening, and there are deliberate efforts by the ruling elite to create spaces where all stakeholders can hold the conversations. However, there is an unspoken view that the RPF political bureau carefully manages these spaces and the agenda that the conversation in a particular space should focus on depending on the circumstances. Thus only agreed themes, chosen participants from each groups, are allowed to participate and "converse back to power." There are regular conversations, sometimes happening at the same time, at different spaces that are part of statebuilding. There is an interchange between the

ruled and the ruling following a certain script that allows a representative of particular group in society to fit their own narrative that directly corresponds to the national narrative, and that has and reinforced a particular outcome.

There is an implicit acceptance of the following:

- That these forums are “all inclusive” and visibly allow elites and ordinary Rwandans to converse and engage “openly” on issues that affect ordinary Rwandans.
- That these forums have been institutionalized, legalized, legitimized in the eyes of the locals and the “western world” therefore caters to the needs of democracy, institutions building and state’s sovereignty.
- The themes and solutions proposed in these forums tends to focus on what Rwandan is praised for, women issues, economic empowerment and less on those issues that some Rwandans and the non-Rwandans insist need to be discussed.
- In these spaces, the military, the police and all other security agents that are in charge of implementing, maintaining and supervising “peace” are present. They tend to allow local leaders especially mayors to be in ‘trouble’ or questioned by the authorities visibly in public but the higher you go in political leaders, the less questions questioning the top elites or RPF as a party.

Our interviews spoke to the above conversations and the importance of these spaces. However, there are also conversations that happen elsewhere that are not necessarily controlled and that sometimes find themselves in the “managed” forums. However, when they do appear, they are silenced deliberately or responded too within a particular way that discourages continued conversations. Within Rwanda, these conversations tend to happen in private, through a culture of whispering especially in social spaces such as bars, markets, homes, through religious groups and a rare attempt recently through music. We see them happening more freely in known spaces that were created and bring together the outside opposition parties or individuals, in bars in Belgium, England, US University campuses, online platforms and on Western streets when protests occur during Presidential visits or Rwandan Day is convened outside Rwanda. Non-Rwandans or Rwandans in western institutions sometimes set the agenda, using platforms such as Human Rights Watch reports, academic journals,

documentaries, US state department press releases, BBC Kinyarwanda/Kirundi programs etc, which also influence these informal conversations.

Even though these conversations rarely come together in one forum, they are sometimes parallel and participants listen to each other and respond through their various forums. They are intense and tend to focus on pre-genocide and post-genocide issues that remain thorny and divisive subjects on the present and imagined peaceful future. The controversial issues include:

1. Political leadership: Recently: the issues of Kagame's third term.
2. The form of democracy to be practiced for example allowing parties to practice in the open outside the political forum.
3. Political prisoners tried on other reasons.
4. The question of journalists and freedom of the media.
5. Historical accounts of what happened to Habyarimana's plane and the trigger of the genocide.
6. Identity: The issues surrounding the silence around the question of the Hutus or other Rwandans who were killed outside the Genocide (by the RPA in and outside of Rwanda during the 1990's.) For example recently Kizito Mihigo who has been singing RPF and commemoration songs composed a song on 20<sup>th</sup> commemoration of the genocide that has this message - All deaths are equal and all should be remembered equally, even those killed in vengeance attacks. Before the song came out, he was charged in courts for discussing on WhatsApp and social media with the enemies in and outside Rwanda and wanting to kill government officials. He lost the case, the song was put on YouTube, conversations erupted everywhere (in Rwanda and outside, formally and informally) while he was settling in prison, joining Ingabire and others who have attempted to bring the two conversations together inside Rwanda and ended up in prison.
7. The question of those in prison for questioning the RPF elites.
8. The RPF genocide narrative and managing or manufacturing history that aligns with the victor's interests.

9. The murders of former RPF ruling elites, or other controversial deaths in Rwanda and outside (such as the recent 'accident' of a well known Tutsi business man and pro RPF elite turned critic), the bodies discovered between Burundi and Rwanda flowing in rivers.
10. The question of new (mostly former RPF followers), and old refugees (those who left in 1994 and are settled in Zambia, Malawi, Mozambique, Central Africa Republic, Kenya, Tanzania and Western capitals. Rwandan government has a position and made it clear to western countries and UNHCR that there should be no one accepted to be called refugees because there are spaces to engage and discuss issues and solutions being implemented and Rwanda is at peace.
11. The question of definitions of concepts/terminology for language use: Human Rights, Survivors, the Rwanda Genocide or the Genocide Against the Tutsi, Genocide denialism etc.
12. There are also discussions on new identities crafted by ordinary people informed by their post-genocide life experiences. For example, abasajya – those who came from Uganda, abajepe-those who came from Burundi, abasope-those who were in Rwanda, abareskape-survivors (usually meaning Tutsis), abadubai-those who came from Congo. These are identities that people organize around, and that can sometimes determine access to economic development and privilege in society. It also determines particular behavior when conversations are being held.

Within this statebuilding project, the role of the army in the old and newly erected warrior nation is key to the understanding of new Rwandaness. The economic success of modern Rwanda has become part of the new narrative of Rwandan Nation-rebuilding and state-building. The military position in society almost inevitably creates a limited and restricted sense of identity, nationhood, and Rwandaness in the short term – the horror endured means the risks of backsliding is perhaps too great at present to allow completely honest and open dialogue to be presented in public. As noted by Musoni Protais:

“... it is perhaps not the purest democracy at the moment, but it is what Rwandans want at this time. It could have been disastrous if he [Kagame]

was allowed to leave at this time, it risks undoing the positive steps we have taken.”<sup>244</sup>

The strength of the army as a core around which the new Rwandaness emerges is likely to adapt over time, as political learning occurs and younger generations growing up in ‘peace’ are more confident of their position in society and the stability of the society itself. Processes and institutions are in place, which although currently worthy of critique, now require time for their potential true benefits to emerge. Indeed, only time will tell whether or not Rwanda’s chosen path will produce stable peace and a viable state.

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<sup>244</sup> Interview with Musoni Protais on Statebuilding and Peacebuilding pre and post-Genocide Rwanda, Kigali, 14/01/2016.